

# Public Document Pack



To: Councillor Reynolds, Convener; and Councillors Allan, Boulton, Cassie, Clark, Collie, Corall, Crockett, Fletcher, Hunter, Kiddie, Milne, John Stewart and Blackman.

Town House,  
ABERDEEN 24 November 2009

## LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in **Committee Rooms 2 & 3 - Town House** on **WEDNESDAY, 2 DECEMBER 2009 at 10.00 am.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### BUSINESS

1. Minute and Committee Business Statement
  - 1.1 Minute of Meeting of 28 October 2009 (Pages 5 - 20)
  - 1.2 Minute of Meeting of Evidential Hearing Sub-Committee of 27 October 2009 (Pages 21 - 22)
  - 1.3 Minute of Taxi Consultation Group of 17 August 2009 (Pages 23 - 26)
  - 1.4 Committee Business Statement (Pages 27 - 30)
2. Applications for Grant, Renewal or Variation of Licences - List of Applications (Pages 31 - 34)
  - 2.1 Application for Grant of HMO Licence - Top Floor Flat Right, 60 Victoria Road, Aberdeen (Pages 35 - 38)

- 2.2 Application for Grant of HMO Licence - 13 Talisman Road, Aberdeen  
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- 2.3 Application for Renewal of HMO Licence - 5 Orchard Place, Aberdeen  
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- 2.4 Application for Renewal of HMO Licence - 5A Orchard Place, Aberdeen  
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- 2.6 Application for Renewal of HMO Licence - 610 King Street, Aberdeen  
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- 2.7 Application for Renewal of HMO Licence - 109 Craigievar Crescent,  
Aberdeen (Pages 59 - 74)
- 2.8 Application for Renewal of HMO Licence - 44 Hilton Terrace, Aberdeen  
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- 2.9 Application for Grant of HMO Licence - 2 Gandholm Avenue, Aberdeen  
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- 2.10 Application for Grant of HMO Licence - Top Floor Flat, 59 Victoria Street,  
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- 2.11 Application for Renewal of Street Trader (Hot Food) Licence - Robert Tait  
(Pages 95 - 108)
- 2.12 Application for Temporary Street Trader (Hot Food) Licence - G & M Whyte  
- Castlegate (Pages 109 - 110)
- 2.13 Application for Temporary Street Trader (Hot Food) Licence - G & M Whyte  
- Pittodrie Stadiumn (No Papers)
- 2.14 Application for Grant Skin Piercing/Tattooing Licence - Jillian Sharp  
(Pages 111 - 112)
- 2.15 Application for Grant Taxi Driver Licence - Kathleen Hadden (Pages 113 -  
114)
- 2.16 Application for Theatre Licence - Aberdeen City Council - Sunnybank  
School (Pages 115 - 116)

3. Procedure for Approval of Taxi Meter Types (Pages 117 - 122)
4. Airport Zoning (Pages 123 - 166)
5. Taxi Ranks in City Centre (Pages 167 - 172)
6. Late Hours Catering Festive Guidelines 2009 - Letter dated 08 October 2009 from Grampian Police (Pages 173 - 174)
7. Applications for Grant, Renewal or Variation of Licences - List of Applications to be heard in confidence
  - 7.1 Application for Grant of Taxi Driver Licence -

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[Equality and Human Rights Impact Assessments](#)

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## LICENSING COMMITTEE

ABERDEEN, 28 October, 2009. - Minute of Meeting of the LICENSING COMMITTEE. Present: - Councillor Reynolds, Convener; and Councillors Allan, Cassie (to item 7), Clark, Collie (from item 2), Corall, Crockett (from item 2), Dean (substituting for Councillor J. Stewart (from item 2), Donnelly (substituting for Councillor Boulton), Dunbar, Hunter (from item 2), Kiddie (from item 3), K. West and Young (substituting for Councillor Crockett to item 2).

### MINUTE OF MEETING OF 02 SEPTEMBER, 2009

1. The Committee had before it the Minute of 02 September 2009.

**The Committee resolved:-**

to approve the Minute subject to it being noted that Councillor Corall's name had been misspelt on page 1 of the minute.

### MINUTE OF MEETING OF 09 SEPTEMBER, 2009

2. The Committee had before it the Minute of 09 September 2009.

**The Committee resolved:-**

to approve the Minute.

### COMMITTEE BUSINESS STATEMENT

3. The Business Statement was noted.

### APPLICATIONS FOR GRANT, RENEWAL OR VARIATION OF LICENCES

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

**The Committee resolved:-**

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

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**NOTIFICATION OF PROPOSED PROCESSION: ABERDEEN TRADES UNION COUNCIL**

**DATE AND TIME: SATURDAY, 28 NOVEMBER 2009 AT 11.30AM**

5. The Committee heard from Mr. Sultan Feroz, the organiser of the proposed procession, who confirmed that he was willing to change the start time of the procession to 1300 hours as previously agreed in discussions with the Police. This change was for various reasons, one of which was that if the procession commenced at 11.30 it would come into conflict with supporters arriving to attend the Aberdeen FC v Rangers FC football match, which was due to kick off at 12.45. Thereafter the Committee heard from Inspector Iain MacLelland, who spoke in support of Grampian Police's letter of response, dated 8 October, 2009.

With reference to recommendation 4 in the police response, that a full road closure be implemented, Inspector MacLelland stated that this was the best way to ensure public safety. The Inspector then circulated documents detailing the costs and amount of police resources that would need to be deployed if a full road closure was not put in place for the procession. Thereafter the Committee heard from Bill Farquhar, Senior Events Officer, City Events who advised the Committee that there is now a recognised template in place whereby all processions which go down Union Street should be subject to a full road closure.

The Committee then heard from Raymond Moffat, Principal Technical Officer, Roads, who confirmed that his department had no objection to the procession.

**The Committee resolved:-**

to issue the Order with a start time of 1300 hours and to impose the police recommendations as additional conditions of the Order.

**REQUESTS TO FORM SALOON CAR PARTNERSHIPS**

6. With reference to Article 12 of the Minute of 02 September 2009, the Committee had before it, for its consideration, six requests from existing single taxi operators who wished now to operate their taxis by forming partnerships with other members of their families but who wished to be exempted from having to provide a wheelchair accessible vehicle in terms of the Licensing Committee's policy and instead continue to operate a saloon car.

The Committee heard from Eric Anderson, Senior Solicitor, on behalf of the City Solicitor, who advised the Committee that, where a taxi operator's licence is held by

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a single operator who then wishes to operate the taxi in the name of a partnership, this can be achieved by applying for a new taxi operator's licence in the name of the partnership. However, in terms of the Committee's policy, the vehicle provided must be wheelchair accessible. In the circumstances, those seeking to be exempted from the policy would have to persuade the Committee to relax its policy in regard to their individual case.

6.1 Colin Cleaven & Colin Cleaven, 12 Beech Road, Aberdeen

In the absence of the applicants, the Committee resolved to decline to consider the request.

6.2 Stan Robertson and Corall Craig, 75 Kepplestone Road, Bucksburn, Aberdeen

The Committee was advised that the request had been withdrawn.

6.3 William Smith, 251 Cairncry Road, Aberdeen, Stephen James Smith and Shona Louise Smith

The Committee heard from Stephen James Smith and Shona Louise Smith who spoke in support of the request.

**The committee resolved:-**

to agree to the request to exempt the requirement of a wheelchair accessible vehicle in the event of an application for a taxi operator's licence being submitted in the name of the proposed partnership.

6.4 Leslie Morrison, East Lynn, 1 Park Place, Newtonhill and Neil Morrison

The Committee heard from Leslie Morrison who spoke in support of the request.

**The committee resolved:-**

to agree to the request to exempt the requirement of a wheelchair accessible vehicle in the event of an application for a taxi operator's licence being submitted in the name of the proposed partnership.

6.5 John Robertson, 8 Arnage Place, Aberdeen and John Robertson, Junior

In the absence of the applicant, the Committee resolved to decline to consider the request.

6.6 Daniel Flood, 24 Lintmill Place, Aberdeen and John Flood

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The Committee heard from Daniel Flood who spoke in support of the request.

**The committee resolved:-**

to agree to the request to exempt the requirement of a wheelchair accessible vehicle in the event of an application for a taxi operator's licence being submitted in the name of the proposed partnership.

**AIRPORT ZONING**

7. With reference to Article 8 of the minute of 25 February 2009, the Committee had before it, for its consideration a report on Airport Zoning.

**The Committee resolved:-**

to defer consideration of the report to its next meeting to be held on 02 December 2009.

**LICENSING OF TAXIS TO TOTAL CAPACITY**

8. The Committee had before it, for its consideration a report on the licensing of taxis to their total capacity. Members were requested to agree that, with regard to vehicles that contain two front passenger seats, the total number of passengers specified in the taxi licence shall reflect the total passenger capacity of that vehicle.

The report reminded Members that the current practice adopted is that (in particular) vehicles which have a maximum capacity to carry eight passengers are only issued with a licence to carry seven passengers. The general internal layout of such vehicles is that there is capacity to carry six passengers in the back of the vehicle and two in the front by way of a double passenger seat located next to the drivers seat with a capacity to carry two passengers. The double passenger seat at the front is only currently counted as seating one passenger.

**The report recommended:-**

that the Committee agrees to alter its current practice and direct that the number of passengers specified in the licence shall reflect the total passenger capacity of the vehicle to which the licence pertains.

**The Committee resolved:-**

to adopt the recommendation.



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**SPACE SAVER WHEELS: AMENDMENT OF CONDITION**

9. With reference to Article 9 of the minute of 02 September 2009 the Committee had before it a report on the amendment of conditions in respect of taxi and private hire car operator licences for space saver wheels.

The purpose of the report is to ratify the change to Condition 19 of the Committee's standard conditions relating to taxi licences and Condition 16 of private hire car licences as detailed in the previous report to the Committee on 02 September 2009.

**The report recommended:-**

that the Committee agrees to amend the conditions.

**The Committee resolved:-**

to adopt the recommendation.

**APPLICATION FOR APPROVAL OF A VEHICLE TO BE USED AS A WHEELCHAIR ACCESSIBLE TAXI – CITROEN DESPATCH EUROTAXI LX**

10. The Committee had before it, for its consideration, an application by Allied Vehicles Limited, 230 Balmore Road, Glasgow, for the approval of the Citroen Eurotaxi LX to be used as a wheelchair accessible taxi in Aberdeen. The Committee noted that the vehicle does not meet all the criteria in the Committee's wheelchair accessible vehicle specification. Thereafter the Committee viewed the vehicle, an example of which had been made available for inspection.

**the Committee resolved:-**

to approve the application for the vehicle to be used as a wheelchair accessible taxi.

**INTRODUCTION OF A MANDATORY LICENSING SCHEME FOR KNIFE & SWORD DEALERS**

11. The Committee had before it, for its consideration, a report on the introduction of a mandatory licensing scheme for knife and sword dealers. The Committee noted (a) that under new legislation non-domestic knives and swords were now added to the categories of activities to be licensed under the Civic

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Government (Scotland) Act 1982 and (b) the proposed mechanisms for introducing and enforcing the legislation.

**The report recommended:-**

that the Committee –

- (a) notes the licensing regime for non-domestic knives and swords;
- (b) agrees that the licence duration will be three years;
- (c) authorises the City Solicitor to prepare appropriate conditions of licence, and produce application forms and guidance notes for the applicants;
- (d) notes the mandatory conditions and adopts the suggested local conditions in the manner outlined in the report at Appendices 1 and 2 of the report;
- (e) notes that the Committee has the power to apply other conditions in relation to specific premises;
- (f) authorises the City Solicitor to grant uncontentious applications under delegated powers; and
- (g) otherwise notes the contents of the report.

**The Committee resolved:-**

to adopt the recommendations.

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

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

**EXEMPT INFORMATION**

**The Committee resolved in relation to items 12(1) to 12(5) that members of the public and press be excluded from the meeting during discussions of the applications on the grounds that there would be disclosure to them of exempt information as defined in paragraph 14 of Schedule 7(A) to the Local Government Scotland Act 1973.**

**The Committee resolved:-**

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

- **COUNCILLOR JOHN REYNOLDS, Convener.**

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APPENDIX A

APPENDIX A

1. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/001**  
**Premises - 493 King Street, Aberdeen**

In the absence of the applicant the Committee resolved to refuse the application.

2. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/002**  
**Premises – 8 Primrosehill Gardens, Aberdeen**

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

3. **APPLICATION FOR THE RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/003**  
**Premises – 19B Powis Crescent, Aberdeen**

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

4. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/004**  
**Premises – Top Right, 60 Victoria Road, Aberdeen**

The Committee heard from Alastair Thain, Private Sector Housing Manager.

**The Committee resolved:-**

to defer consideration of the application to its next meeting to be held on 02 December 2009.

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5. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/005**  
**Premises – Attic Floor, 42 Ashvale Place, Aberdeen**

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

6. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/006**  
**Premises – 13 Talisman Road, Aberdeen**

The Committee heard from Alastair Thain, Private Sector Housing Manager.

**The Committee resolved:-**

to defer consideration of the application to its next meeting to be held on 02 December 2009.

7. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/007**  
**Premises – 57 Bedford Road, Aberdeen**

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

8. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/008**  
**Premises – 7 Polwarth Road, Aberdeen**

The Committee considered a memorandum dated 14 October 2009 from Alastair Thain, Private Sector Housing Manager and two letters of objection dated

02 August and 16 August 2009. Thereafter the Committee heard from Adrian Sangster, Aberdeen Considine on behalf of the applicant.

**The Committee resolved:-**

to give delegated powers to grant the application once the outstanding works were completed.

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9. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/009**  
**Premises – 19C Whitehouse Street, Aberdeen**

The Committee considered a memorandum dated 14 October 2009 from Alastair Thain, Private Sector Housing Manager and a letter of objection dated 17 August 2009. Thereafter the Committee heard from Dr Shona Coffey on behalf of the applicant.

**The Committee resolved:-**

to give delegated powers to grant the application once the outstanding works were completed.

10. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/010**  
**Premises – 42 Gaitside Drive, Aberdeen**

The Committee considered a memorandum dated 14 October 2009 from Alastair Thain, Private Sector Housing Manager and a letter of objection dated 19 August 2009. Thereafter the Committee heard from one of the three objectors who had signed the letter who spoke in support of the objection and thereafter heard from Mr Charles Bain, Bain Property Agency, on behalf of the applicant.

**The Committee resolved:-**

to give delegated powers to grant the application once the works had been completed.

11. **APPLICATION FOR THE RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**  
**Application Ref No. 2/011**  
**Premises – 109 Craigievar Crescent, Aberdeen**

The Committee was advised by Alastair Thain, Private Sector Housing Manager that a letter had been received from the applicant requesting that the matter be deferred to the next meeting.

**The Committee resolved:-**

to defer consideration of the application to its next meeting to be held on

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02 December 2009.

12. **APPLICATION FOR THE GRANT OF A STREET TRADER (HOT FOOD) LICENCE**

**Application Ref No. 2/012**

**Site – Lawson Drive, East Side, 83 metres from Pitmedden Road, Dyce**

**Times – 07:00 to 19:00**

The Committee heard from Eric Anderson, Senior Solicitor, on behalf of the City Solicitor that the application was before the Committee because it was a new site. In the absence of the applicant

**The Committee resolved:-**

to grant the application.

13. **APPLICATION FOR THE GRANT OF A STREET TRADER (GENERAL) LICENCE**

**Application Ref No. 2/013**

**Site – St Nicholas Street, Aberdeen**

**Times – Friday to Wednesday – 08:00 to 19:00, Thursday – 08:00 to 21:00**

The Committee heard from Eric Anderson, Senior Solicitor, on behalf of the City Solicitor, that the application was before the Committee because the site was within the city centre zone. Thereafter the Committee heard from the applicant.

**The Committee resolved:-**

to grant the application for the period 15 November - 30 December 2009.

14. **APPLICATION FOR THE RENEWAL OF A CINEMA LICENCE**

**Application Ref No. 2/014**

**Premises – Vue Cinema, 10 Shiprow, Aberdeen**

The Committee heard from David Kidd, Team Leader (Building Standards), that most of the outstanding works had been completed however there was still one item to be addressed before a clear report could be given.

**The Committee resolved:-**

to give delegated powers to grant the application once the outstanding issue had been addressed.

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15. **APPLICATION FOR THE RENEWAL OF A CINEMA LICENCE**  
**Application Ref No. 2/015**  
**Premises – Cineworld, Unit 1, Queens Links Leisure Park, Aberdeen**

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

16. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**  
**Application Ref No. 2/016**  
**Premises – Alexander Collie Sports and Community Centre, Bridge of Don, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

17. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**  
**Application Ref No. 2/017**  
**Premises – Bridge of Don Swimming Pool, Braehead Way, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

18. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**  
**Application Ref No. 2/018**  
**Premises – Bucksburn Swimming Pool, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

19. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**  
**Application Ref No. 2/019**  
**Premises – Dyce Swimming Pool, Riverview Drive, Dyce, Aberdeen**

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The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

20. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**

**Application Ref No. 2/020**

**Premises – Hazlehead Swimming Pool, Groats Road, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

21. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**

**Application Ref No. 2/021**

**Premises – The Jesmond Centre, Jesmond Drive, Bridge of Don, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

22. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**

**Application Ref No. 2/022**

**Premises – Northfield Swimming Pool, Kettlehills Crescent, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

23. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**

**Application Ref No. 2/023**

**Premises – Sheddocksley Sports Centre, Springhill Road, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.



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24. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**

**Application Ref No. 2/024**

**Premises – Kincorth Sports Centre, Corthan Crescent, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

25. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**

**Application Ref No. 2/025**

**Premises – Kincorth Swimming Pool, Cairngorm Drive, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

26. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**

**Application Ref No. 2/026**

**Premises – Torry Youth and Leisure Centre, Oscar Road, Aberdeen**

The Committee was advised by Graham Wark, Head of Service, Neighbourhood Services (South Area), that the application had been withdrawn.

27. **APPLICATION FOR THE GRANT OF A THEATRE LICENCE**

**Application Ref No. 2/027**

**Premises – St Machar Academy, St Machar Drive, Aberdeen**

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

28. **APPLICATION FOR THE GRANT OF A THEATRE LICENCE**

**Application Ref No. 2/028**

**Premises – Summerhill Community Centre, Stronsay Drive, Aberdeen**

The Committee was advised that this application had twice previously been

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deferred and there had been no response from the applicant to any of the letters sent in respect of the application.

The Committee then heard from David Kidd, Team Leader (Building Standards), that there are still outstanding works that would be required to be undertaken before a licence could be granted. In the absence of the applicant

**The Committee resolved:-**  
to refuse the application.

29. **APPLICATION FOR THE GRANT OF A THEATRE LICENCE**  
**Application Ref No. 2/029**  
**Premises – Glashieburn School, Jesmond Drive, Bridge of Don, Aberdeen**

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

30. **APPLICATION FOR THE GRANT OF A THEATRE LICENCE**  
**Application Ref No. 2/030**  
**Premises – Albyn School, 17 – 23 Queens Road, Aberdeen**

The Committee heard from David Kidd, Team Leader (Building Standards), that there were still some major issues to be resolved with this application. In the absence of the applicant

**The Committee resolved:-**  
to defer consideration of the application to its meeting to be held on 02 December 2009.

31. **APPLICATION FOR THE GRANT OF A THEATRE LICENCE**  
**Application Ref No. 2/031**  
**Premises – Sunnybank School, Sunnybank Road, Aberdeen**

The Committee heard from David Kidd, Team Leader (Building Standards), that the necessary works were now in the course of being completed.

**The Committee resolved:-**  
to defer consideration of the application to its meeting to be held on 02 December 2009.

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**APPENDIX B**

1. **TAXI DRIVER**  
**Reference No. 10/001**

The Committee was advised that the letter inviting the driver to attend the meeting had been sent to the wrong address, therefore the Committee resolved to defer consideration of this item to its meeting to be held on 02 December 2009.

2. **VARIATION OF A TAXI DRIVER'S LICENCE**  
**Application Reference No. 10/002**

The Committee heard from Eric Anderson, Senior Solicitor, on behalf of the City Solicitor that this licence, the application for which having failed to be determined within the statutory 6 month period, was therefore deemed to have been granted unconditionally. In addition, the licence holder had not passed his taxi tests. However, in terms of paragraph 10 of Schedule 1 of the Civic Government (Scotland) Act 1982, the licence can be varied by the Licensing Authority on any grounds they think fit. The Committee were asked to vary the licence by attaching the standard conditions to the licence plus one further condition; namely that the licence holder must pass his taxi tests before he commences working as a taxi driver. Thereafter the Committee heard from Sergeant Keith Middler on behalf of the Chief Constable.

**The Committee resolved:-**

to attach the aforementioned conditions to the licence.

3. **APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE**  
**Application Reference No. 10/003**

In the absence of the applicant the Committee resolved to refuse the application.

4. **APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE**  
**Application Reference No. 10/004**

The Committee had before it, for its consideration, letters dated 16 July and 02 September 2009 from Grampian Police. This matter had been deferred

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from the meeting of 02 September 2009, to give the applicant a copy of the police letter of that date. Thereafter the Committee heard from Sergeant Keith Middler, on behalf of the Chief Constable. The Committee then heard from the applicant.

Councillor Dunbar seconded by Councillor Kirsty West moved:-  
to refuse the application.

Councillor Donnelly, seconded by Councillor Dean moved:-  
to defer consideration of the application to the meeting to be held on 02 December 2009, to allow the applicant to bring evidence that the matter referred to in Grampian Police's letter of 02 September 2009 had been dropped.

On a division, there voted:- for the motion (7) – the Convener; and Councillors Allan, Clark, Crockett, Dunbar, Hunter and K West; for the amendment (4) – Councillors Donnelly, Collie, Dean and Kiddie.

**The Committee resolved:-**  
to adopt the motion.

5. **APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE**  
**Application Reference No. 10/005**

The Committee considered a letter dated 18 September 2009 from Grampian Police. Thereafter the Committee heard from Sergeant Keith Middler on behalf of the Chief Constable. The Committee then heard from Colin Wilson, Michael Allan Solicitors and also from the applicant himself.

**The Committee resolved:-**  
to give delegated powers to grant the application for a six month period provided the applicant passes his taxi tests.

## LICENSING COMMITTEE – EVIDENTIAL HEARING SUB-COMMITTEE

ABERDEEN, 27<sup>th</sup> October, 2009. - Minute of Meeting of the LICENSING EVIDENTIAL HEARING SUB-COMMITTEE. Present: - Councillor Reynolds, Convener; Councillors Cassie, Clark (substitute for Fletcher), Corall and K. West.

### EXEMPT INFORMATION

**The Sub-Committee resolved that members of the public and press be excluded from the meeting during discussions of the application on the grounds that there would be disclosure to them of exempt information as defined in Paragraph 14 of Schedule 7A of the Local Government (Scotland) Act 1973.**

### REQUEST FOR SUSPENSION OF TAXI DRIVER'S LICENCE NO. 1175

1. The Sub-Committee had before it a letter from the Chief Constable, Grampian Police dated 14<sup>th</sup> September 2009 requesting suspension of taxi driver's licence number 1175. Having heard submissions on behalf of the licence holder and from the Taxi Inspector on behalf of the Chief Constable,

Councillor Corall, seconded by Councillor Cassie moved:-

not to suspend the licence and to impose two conditions on the licence:- (1) that the licence holder immediately be referred to the Council's occupational health service provider for an assessment; and (2) that the licence holder be subject to monitoring by the occupational health service provider.

Councillor K. West, seconded by Councillor Clark moved as an amendment:-

to suspend the licence for 6 months and to impose two conditions on the licence:- (1) that the licence holder immediately be referred to the Council's occupational health service provider for an assessment; and (2) that the licence holder be subject to monitoring by the occupational health service provider.

On a division there voted:- for the motion (3) – the Convener; and Councillors Cassie and Corall; for the amendment (2) – Councillors Clark and K. West.

**The Sub-Committee resolved:-**

to adopt the motion.

**- COUNCILLOR REYNOLDS, Convener.**

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## TAXI/PRIVATE HIRE CAR CONSULTATION GROUP

### NOTE OF MEETING OF 17 AUGUST 2009

#### **Present:**

Councillors: Reynolds (Convener) and Boulton and Robertson.

John Fowler, (ATG), Neil Pirie, (TBHA), Alistair Rose, (ARTDA), Scott Douglas, (Comcab), Lynne Smith, (ATG/Central Taxis), Gordon McKay, (ATG/Rainbow), Kevin Leiper, (ATG) and Russell McLeod, (ATG/Rainbow)

Sgt Keith Middler (Grampian Police), Brenda Flaherty (Office of City Solicitor), Arlene Dunbar (Office of City Solicitor) and Caroline Treanor (Office of City Solicitor)

#### Apologies

Councillor Young

#### 1. **Note of Meeting of 18 May 2009**

Approved.

#### 2. **Airport Zoning Working Group**

- (a) Note of Meeting of 10 June 2009
- (b) Note of Meeting of 01 July 2009

Noted.

#### 3. **The Licensing of Booking Offices**

The Group had before them for information a draft report by Director of Corporate Governance regarding the Licensing of Taxi Booking Offices.

Brenda Flaherty explained that the report outlined mandatory and local conditions which would be attached to the licence and advised that the proposed application fee was £190.00 for 3 year licence.

Russell McLeod considered that it would be useful for relevant operators and council officers to meet to discuss the proposed local conditions as he considered that some of the conditions were too onerous, in particular the requirement to keep data for a period of 3 years.

Lynne Smith considered that there was an issue with the terms of the proposed condition 4 with regard to school contracts.

The group noted the report and agreed to fix a meeting to discuss the conditions.

4. **Proposed Taxi Rank to Serve Union Square Development**

The Group had before them a draft report by the Director of Corporate Governance regarding the viability of a taxi rank in Union Square.

Brenda Flaherty advised that Palmerston Road had been investigated as a potential location for a rank; however, the location was too far away from the main entrance, poorly lit and quiet.

Alternative locations at Guild Street, Market Street and Wapping Street were also investigated however; it was considered that these were not viable for safety reasons and traffic congestion.

The draft report advised that the only feasible option would be the establishment of a rank within the development car park. The developer, Hammerson is still considering it's options.

Kevin Leiper advised that he had attended a number of meetings and understood that Hammerson had initially agreed to the establishment of a rank within the car park. However, their position changed to using a free phone system which would generate an income. When no operators came forward, Hammerson then decided to operate a permit system.

The Group agreed to invite representatives of Roads, Planning and Hammerson to the Taxi Consultation Group meeting on 16 November 2009.

5. **Family Saloon Car Partnerships**

The Group had before it a draft report from the Director of Corporate Governance regarding Family Saloon Car Partnerships

Brenda Flaherty advised that the report had come about as a result of 4 requests by taxi operators to form family partnership while retaining their saloon cars rather than providing a wheelchair accessible taxi. The report recommended refusing the requests.

Councillor Boulton considered it would be useful if the report contained statistics outlining the percentage of the fleet which were wheelchair accessible.

6. **"Get you home" Spare Wheels**

The group had before it a draft report by the Director of Corporate Governance regarding space savers wheels.

The report recommended the amendment of Condition 19 attached to Taxi Operator Licences which prohibits the use of space saver wheels and allows the use of said wheels in certain circumstances.



John Fowler said that he thought the report was long overdue and welcomed no recommendations.

Members of the Group expressed concern about operators completing a hire with a space saver wheel fitted and it was agreed to amend the report accordingly.

7. **Renfrewshire Council v Sneddon – Court of Session Decision**

The Group had before them a synopsis of a Court of Session Decision in the Case of Renfrewshire Council v Sneddon.

Brenda Flaherty advised that the decision was presented for information and confirmed that the committee's policy on wheelchairs all was robust.

8. **AOCB**

(i) **Vehicle Specification**

The Group had before it a letter dated 6 August 2009 from Bill Parris, National Operations Manager, Allied Vehicles and an undated letter from Alistair Williamson, Chairperson of Disability Advisory Group (DAG).

Mr Parris's letter expressed concern about the decision taken by the Licensing Committee at its meeting on 3<sup>rd</sup> June, 2009 to adopt a vehicle specification based on the Department for Transport's Consultative document. The letter requested that the Committee reconsider its decision and revisit the specification. Thereafter the Committee heard from Alistair Williamson who advised that DAG had not been consulted on the proposed specification.

The Group agreed to invite Mr Parris and Mr Williamson to the Licensing Committee meeting on 2 September 2009.

(ii) **Taxi Rank Location Map**

Members of the trade advised that the taxi rank location map was going to be distributed during Off-Shore Europe and had been advised, that after this event, no further copies would be distributed.

Brenda Flaherty agreed to raise the issue with Corporate Communications.

8. **Date of Next Meeting**

16 November 2009 at 10 am.

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## LICENSING

02 DECEMBER 2009

## COMMITTEE BUSINESS STATEMENT

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Responsible Head(s) of Service</u>	<u>Report Due (bold depicts items now outstanding)</u>	<u>Report Expected (if known)</u>
1.	<p>Licensing Committee 05.03.07 Article 6 (B)</p> <p>Licensing Committee 03.06.09 Article 9</p> <p>Licensing Committee 02.09.09 Article 11</p>	<p><b><u>A) Taxi Stance Review</u></b></p> <p>Instructed officers to provide an interim progress report to the Committee every 6 months.</p> <p><b><u>B) Additional Taxi Ranks</u></b></p> <p>Instructed officers to investigate the possibility of additional taxi ranks in the City Centre.</p> <p>To continue to monitor the situation with regard to taxi rank provision at Union Square.</p>	<p>The Committee has received regular reports and bulletins on various aspects of taxi stance provision, such as the night time ranks. Other medium and longer term matters are to be examined and proposals are to be brought back to Committee.</p> <p>The Committee considered at report at its meeting on 02 September 2009 regarding the difficulties in locating a taxi rank at Union Square. A representative of the developer attended a meeting of the Taxi Consultation Group on 16 November 2009 and stated the Palmerston Road was their preferred option for a rank. Request the Committee to revisit the possibility of locating a rank there, and possibly a temporary one meantime.</p>	<p>Head of Planning &amp; Infrastructure,  City Solicitor,</p> <p>Head of Planning &amp; Infrastructure</p>	<p>February 2010</p> <p><b>Oct 2009</b></p>	<p>December 2009</p> <p>December 2009</p>

2.	Taxi Consultation Group 10.11.08 Article 7	<p><b><u>Review of Taxi Provision at Airport</u></b></p> <p>To instruct Officers to draft a report on the provision of taxis at the airport</p>	<p>The Airport Working Group has now finished meeting. There was a requirement for an additional meeting of the Working Group because of unavailability of group members. A report will be submitted to Committee on 28 October 2009. Consideration of the report was deferred to the meeting to be held on 02 December 2009.</p>	City Solicitor	<b>Sept 2009</b>	Dec 2009
3.	<p>Licensing Committee 03.06.09 Article 7</p> <p>and</p> <p>Licensing Committee 02.09.09 Article 2</p>	<p><b><u>Fire Safety Standards for Houses in Multiple Occupation</u></b></p> <p>to instruct the Private Sector Housing Manager to provide an update on the discussions between GFRS and the HMO unit at the September meeting.</p> <p>Private Sector Housing Manger to provide further report to Committee.</p>	<p>The Committee received a verbal update at its Meeting of 2 September from the Private Sector Housing Manager, who advised that a draft Memorandum of Understanding between GFRS and ACC had been drawn up. The Memorandum has been revised by Legal Services. The Private Sector Housing Manger advised that the further update would be provided to Committee.</p>	Head of Housing & Environment	Dec 2009	

4.	Licensing Committee 02.09.09 Article 12	<p><b><u>Family Saloon Car Partnerships</u></b></p> <p>to defer consideration of the report to its meeting on 28 October 2009</p>	<p>The Committee considered a report at its meeting of 02 September 2009. The report advised that 4 applications have been received where a taxi operator had sought to add additional operators to form a partnership while retaining sale car exemption from the Wheel Chair Accessible Policy. The Committee resolved to defer consideration of the report to its next meeting to allow the applicants to be invited. The report was consider at the October meeting and the requests considered.</p>	City Solicitor	Oct 2009	
5.	Licensing Committee 02.09.09 Article 14	<p><b><u>Wheelchair Accessible Vehicles</u></b></p> <p>(i) to obtain copies of vehicle specifications from Edinburgh, Glasgow and Dundee City Councils and</p> <p>(ii) to request that officers bring a report to Committee on the matter to its meeting in January 2010</p>	<p>The Committee considered a letter from Mr Bill Parris, National Operations Manager, Allied Vehicles which expressed concern about the Committee's decision of 3 June 2009 to adopt a vehicle specification for taxis based on the Department of Transport's Consultative Document.</p>	City Solicitor	Jan 2010	

6.	Licensing Committee 02.09.09 Article 8 (37)	<p><b><u>Medical Reports for Taxi/Private Hire Drivers over 65</u></b></p> <p>1. to instruct the City Solicitor to prepare a report examining whether the Committee's current policy of requesting medical certificates for Taxi/Private Hire Car Drivers over the age of 65, is compliant with Age Discrimination Legislation.</p>		City Solicitor	Jan 2010	
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**LICENSING COMMITTEE  
2 DECEMBER 2009**

**LIST OF APPLICATIONS TO BE HEARD**

	<b>Application Type</b>	<b>Name and Address of Applicant(s)</b>	<b>Premises, Vehicle or Area to which Application Refers</b>	<b>Objections or Representations Received From</b>	<b>Date by which Application to be Determined (If Applicable)</b>
1.	HMO Grant	RLR Properties Ltd, 37 Byng Road, Barnet, Herts & Martin & Co, Letting Agents	Top Floor Flat Right 60 Victoria Road, Aberdeen	Housing & Environment	18 December 2009
2.	HMO Grant	Peter J Lawrence c/o 2 Maltravens Street, Arundel, West Sussex & Burnett & Reid, Solicitors	13 Talisman Road, Aberdeen	Housing & Environment	6 January 2010
3.	HMO Renewal	David Ross Balnagowan, Ordhead, Sauchen Aberdeenshire	5 Orchard Place, Aberdeen	Housing & Environment	18 January 2010
4.	HMO Renewal	David Ross Balnagowan, Ordhead, Sauchen Aberdeenshire	5A Orchard Place, Aberdeen	Housing & Environment	18 January 2010
5.	HMO Renewal	Emma Yeates 273 The Murrays Edinburgh	86 Hilton Heights, Aberdeen	Housing & Environment	27 January 2010
6.	HMO Renewal	William McNicoll & Lorna McNicoll 86 Lasswade Road Edinburgh & Remax AAA	610 King Street, Aberdeen	Housing & Environment	29 January 2010
7.	HMO Renewal	Susan Boulton 22 Councillors Walk Forres, Morray & James & George Collie, Solicitors	109 Craigievar Crescent Aberdeen	Objection	13 September 2010

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Agenda Item 2.

	<b>Application Type</b>	<b>Name and Address of Applicant(s)</b>	<b>Premises, Vehicle or Area to which Application Refers</b>	<b>Objections or Representations Received From</b>	<b>Date by which Application to be Determined (If Applicable)</b>
8.	HMO Renewal	Monica Crawford 15 Quarterland Road, Islandmagee Larne, County Antrim & Bon Accord Leasing	44 Hilton Terrace, Aberdeen	Objections X 2	24 September 2010
9.	HMO Grant	Manuel A Maldonado 2 Grandholm Avenue Bridge of Don, Aberdeen	2 Grandholm Avenue Bridge of Don, Aberdeen	Objection	6 October 2010
10.	HMO Grant	Stephen Robertson Westfield 100 William Street, Sydney, Australia & Margaret Duffus, Leasing	Top Floor Flat, 59 Victoria Street Aberdeen	Objection	11 October 2010
11.	Street Trader (Hot Food) Renewal	Robert Tait c/o 39 Beattie Avenue Aberdeen	Ardarroch Road 25m North of Pittodrie Street Monday to Saturday 07.00-19.00 (10pm on match days)  Greenhole Place, Bridge of Don 50m west of Broadfold Road Monday to Saturday 07.00-19.00	Objections X 8	13 April 2010
12.	Street Trader (Hot Food) Temporary	G & M Whyte Crannoch Lodge Grange, Keith	Castlegate, Aberdeen Monday to Sunday 10.00-22.00	CS	
13.	Street Trader (Hot Food) Temporary Aberdeen Santa Run	G & M Whyte Crannoch Lodge Grange, Keith	Aberdeen Football Club Concourse outside Richard Donald Stand Pittodrie Stadium, Aberdeen 6 December 2009 09.30-17.00	CS	



	<b>Application Type</b>	<b>Name and Address of Applicant(s)</b>	<b>Premises, Vehicle or Area to which Application Refers</b>	<b>Objections or Representations Received From</b>	<b>Date by which Application to be Determined (If Applicable)</b>
14.	Skin Piercing/Tattooing Grant	Jillian Sharp 7 High Street Aberdour	Temple Aesthetics 9 the Courtyard Cults, Aberdeen	CS	23 June 2010
15.	Taxi Driver Grant	Kathleen Hadden 110 Marchburn Drive Aberdeen	N/A	CC	16 December 2009
16.	Theatre Grant	Aberdeen City Council Education, Culture & Sport	Sunnybank School Sunnybank Road Aberdeen AB24 3NJ	BS	N/A

**ABBREVIATIONS:**

CS City Solicitor  
 CC Chief Constable  
 PI Planning and Infrastructure  
 EH Environmental Health  
 Fire Grampian Fire and Rescue Service  
 BS Building Standards  
 HE Housing and Environment

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# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	18 November 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Grant of a Licence to Operate a House in Multiple Occupation (HMO) at No.60 Victoria Road, Aberdeen**

**Applicants: RLR Properties Ltd**

**Agent: Martin & Co.**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that the works and certification requirements have not been met.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is a top-floor flat located within a traditional granite tenement, with accommodation comprising of three bedrooms, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was submitted to the Council on 19 December 2008. The HMO Officer visited the premises on 10 March 2009, then he wrote to the agent on 11 March 2009, listing the following requirements to bring the premises up to HMO standard:-

1. Installation of a fire alarm / fire detection system.
2. Installation of 30-minute fire-resistant room doors fitted with self-closers.
3. A Fire Action Notice to be displayed.
4. A fire blanket to be installed in the kitchen.
5. Windows in all rooms to be capable of easy opening for ventilation.
6. The mechanical extract fan in the kitchen to be repaired or replaced.
7. All valid gas & electrical safety certificates, the Tenancy Agreement and the Notice for Display-Certificate of Compliance to be submitted to the HMO Unit.

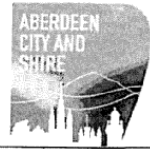
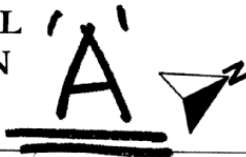
This HMO Licence application was considered by the Licensing Committee at its last meeting on 28 October 2009, for the reason that works and certification requirements had not been met. Neither the applicant nor any representative attended the meeting, and the Committee resolved to defer the application to the meeting on 2 December 2009. At the date of this memo, all requirements have not been met.

**Other considerations:-**


- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of the top-floor flat at No.60 Victoria Road, Aberdeen.
- The applicant and his property are currently registered with the Landlord Registration scheme.
- As mentioned above, the Council received the HMO Licence application on 19 December 2008. The Council must determine the application no later than 18 December 2009, otherwise the application will become deemed to be approved, which the Council must strive to avoid. The meeting of the Licensing Committee on 2 December 2009 is the last one before the deadline on 18 December 2009, therefore if all requirements have not been met and the Committee is minded to refuse the application, it must do so at its meeting on 2 December 2009.

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

**Ally Thain**  
Private Sector Housing Manager



**Title:** HMO LICENCE APPLICATION  
**PREMISES:** 60 VICTORIA ROAD, ABERDEEN  
**Scale:** 1:500      **Date:** 13 October 2009      **Map Ref:** NJ9405SE

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# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	18 November 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Grant of a Licence to Operate a House in Multiple Occupation (HMO) at No.13 Talisman Road, Aberdeen**

**Applicants: Peter J.Lawrence**

**Agent: Burnett & Reid, Solicitors**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that the works and certification requirements have not been met.

I can advise you as follows:-

**The premises:-**

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

**The HMO application:-**

The HMO Licence application was submitted to the Council on 7 January 2009. The HMO Officer visited the premises on 12 February 2009, then he wrote to the agent on 13 February 2009, listing the following requirements to bring the premises up to HMO standard:-

1. Installation of a fire alarm / fire detection system.
2. Installation of 30-minute fire-resistant room doors fitted with self-closers.
3. The house entrance doors to be refitted with keyless locks.
4. The loft hatch vent to either be replaced with a fire-block vent or sheeted over.
5. A Fire Action Notice to be displayed.
6. A fire-blanket to be installed in the kitchen.
7. Windows in all rooms to be capable of easy opening for ventilation.
8. All valid gas & electrical safety certificates, the Tenancy Agreement and the Notice for Display-Certificate of Compliance to be submitted to the HMO Unit.

This HMO Licence application was considered by the Licensing Committee at its last meeting on 28 October 2009, for the reason that works and certification requirements had not been met. Neither the applicant nor any representative attended the meeting, and the Committee resolved to defer the application to the meeting on 2 December 2009. At the date of this memo, all requirements have not been met.

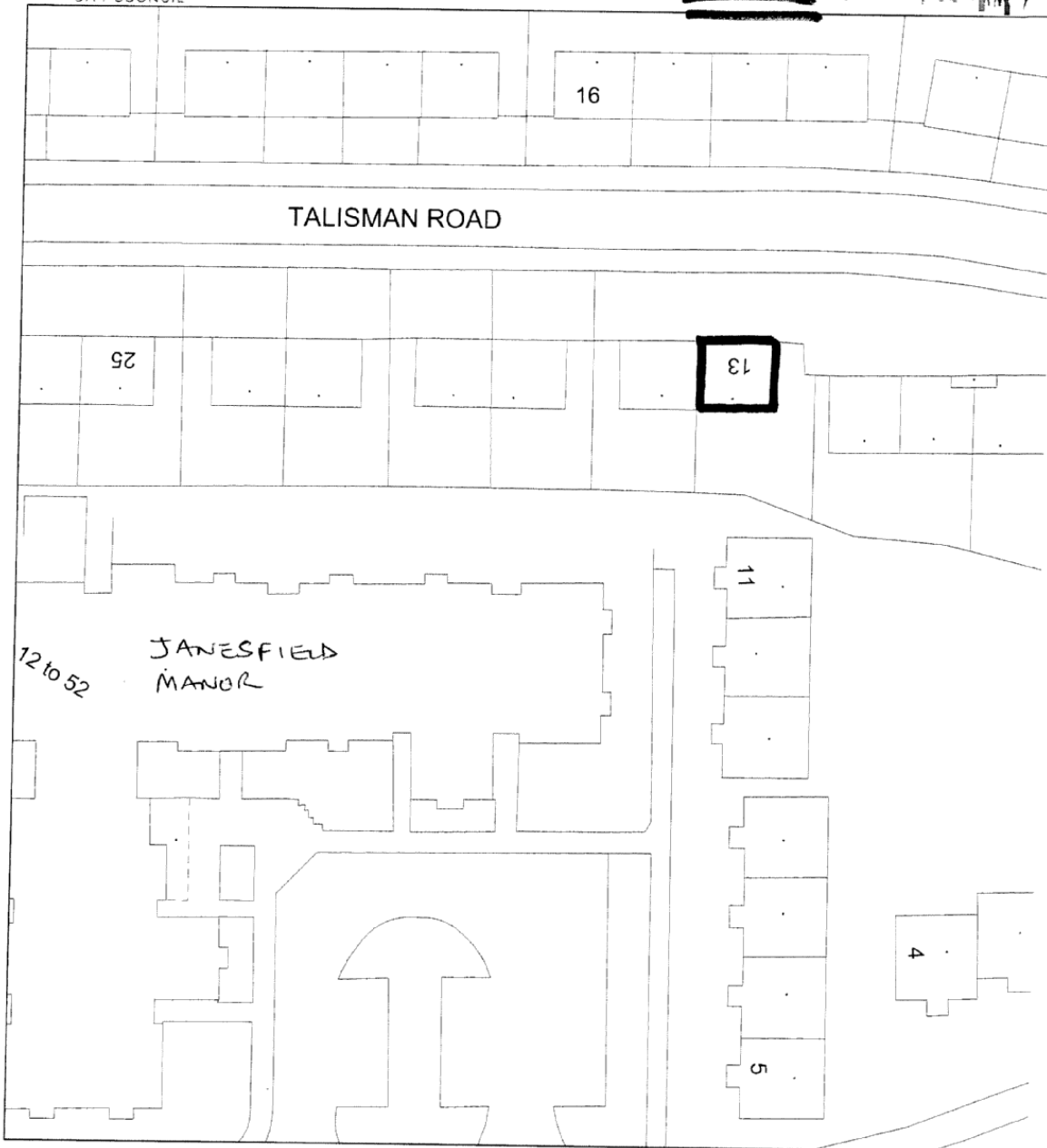
**Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of No.13 Talisman Road, Aberdeen.
- At the date of this memo, the applicant and his property are registered with the Landlord Registration scheme.
- As mentioned above, the Council received the HMO Licence application on 7 January 2009. The Council must determine the application no later than 6 January 2010, otherwise the application will become deemed to be approved, which the Council must strive to avoid. The meeting of the Licensing Committee on 2 December 2009 is the last one before the deadline on 6 January 2010, therefore if all requirements are not complete and the Committee is minded to refuse the application, it must do so at its meeting on 2 December 2009.

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


**Ally Thain**  
Private Sector Housing Manager





Title: HMO LICENCE APPLICATION  
PREMISES: 13 TALISMAN ROAD, ABERDEEN

Scale: 1:500 Date: 13 October 2009 Map Ref: NJ9103SW

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# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	18 November 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Renewal of a Licence to Operate a House in Multiple Occupation (HMO) at No.5 Orchard Place, Aberdeen**

**Applicants: David Ross**

**Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that the works and certification requirements have not been met.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is a ground-floor flat contained within a three-flatted block. The accommodation comprises of four bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was submitted to the Council on 19 January 2009. The HMO Officer visited the premises on 24 February 2009, then he wrote to the applicant on 24 February 2009, listing the following requirements to bring the premises up to the current HMO standard:-

1. Installation of a fire alarm / fire detection system.
2. Installation of 30-minute fire-resistant room doors fitted with self-closers.
3. The glass panels in the vestibule to be replaced with safety glass.
4. All valid gas & electrical safety certificates, the Tenancy Agreement and the Notice for Display-Certificate of Compliance to be submitted to the HMO Unit.

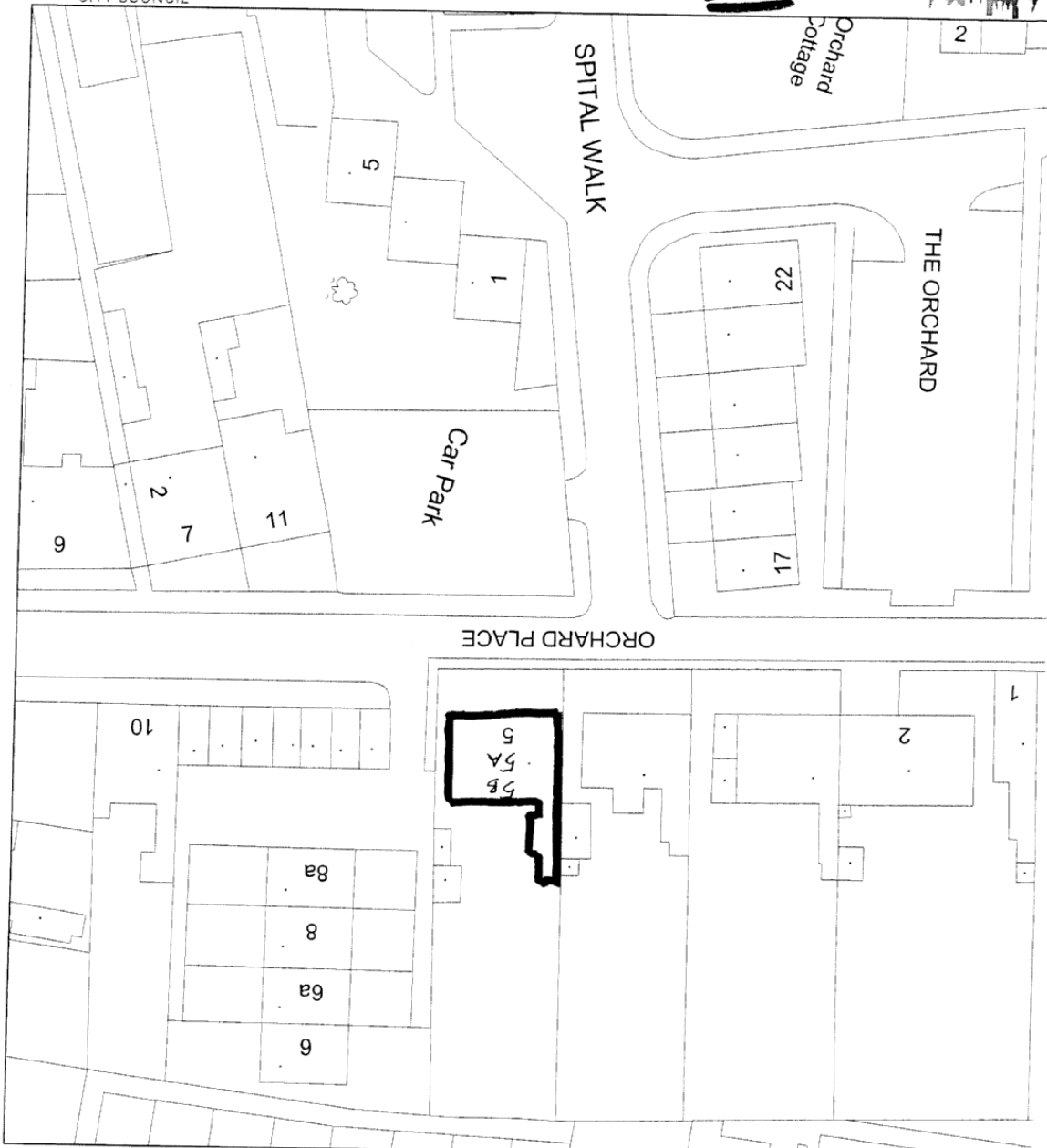
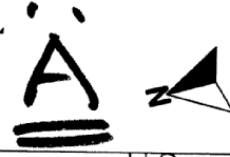
At the date of this memo, all works & certification requirements have not been met. Accordingly, the applicant has been invited to attend the meeting of the Licensing Committee on 2 December 2008, where the application will be discussed.

**Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of No.5 Orchard Place, Aberdeen.
- At the date of this memo, the applicant and his property are registered with the Landlord Registration scheme.
- As mentioned above, the Council received the HMO Licence application on 19 January 2009. The Council must determine the application no later than 18 January 2010, otherwise the application will become deemed to be approved, which the Council must strive to avoid. If necessary, the application can be deferred until the Licensing Committee meets again on 13 January 2010, at the latest.

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

**Ally Thain**  
Private Sector Housing Manager



**Title:** HMO LICENCE APPLICATION  
**PREMISES:** 5 ORCHARD PLACE, ABERDEEN  
**Scale:** 1:500                      **Date:** 20 October 2009                      **Map Ref:** NJ9407NW

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# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	18 November 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Renewal of a Licence to Operate a House in Multiple Occupation (HMO) at No.5A Orchard Place, Aberdeen**

**Applicants: David Ross**

**Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that the works and certification requirements have not been met.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is a first-floor flat contained within a three-flatted block. The accommodation comprises of three bedrooms, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was submitted to the Council on 19 January 2009. The HMO Officer visited the premises on 24 February 2009, then he wrote to the applicant on 24 February 2009, listing the following requirements to bring the premises up to the current HMO standard:-

1. Installation of a fire alarm / fire detection system.
2. Installation of 30-minute fire-resistant room doors fitted with self-closers.
3. All valid gas & electrical safety certificates, the Tenancy Agreement and the Notice for Display-Certificate of Compliance to be submitted to the HMO Unit.

At the date of this memo, all works & certification requirements have not been met. Accordingly, the applicant has been invited to attend the meeting of the Licensing Committee on 2 December 2008, where the application will be discussed.

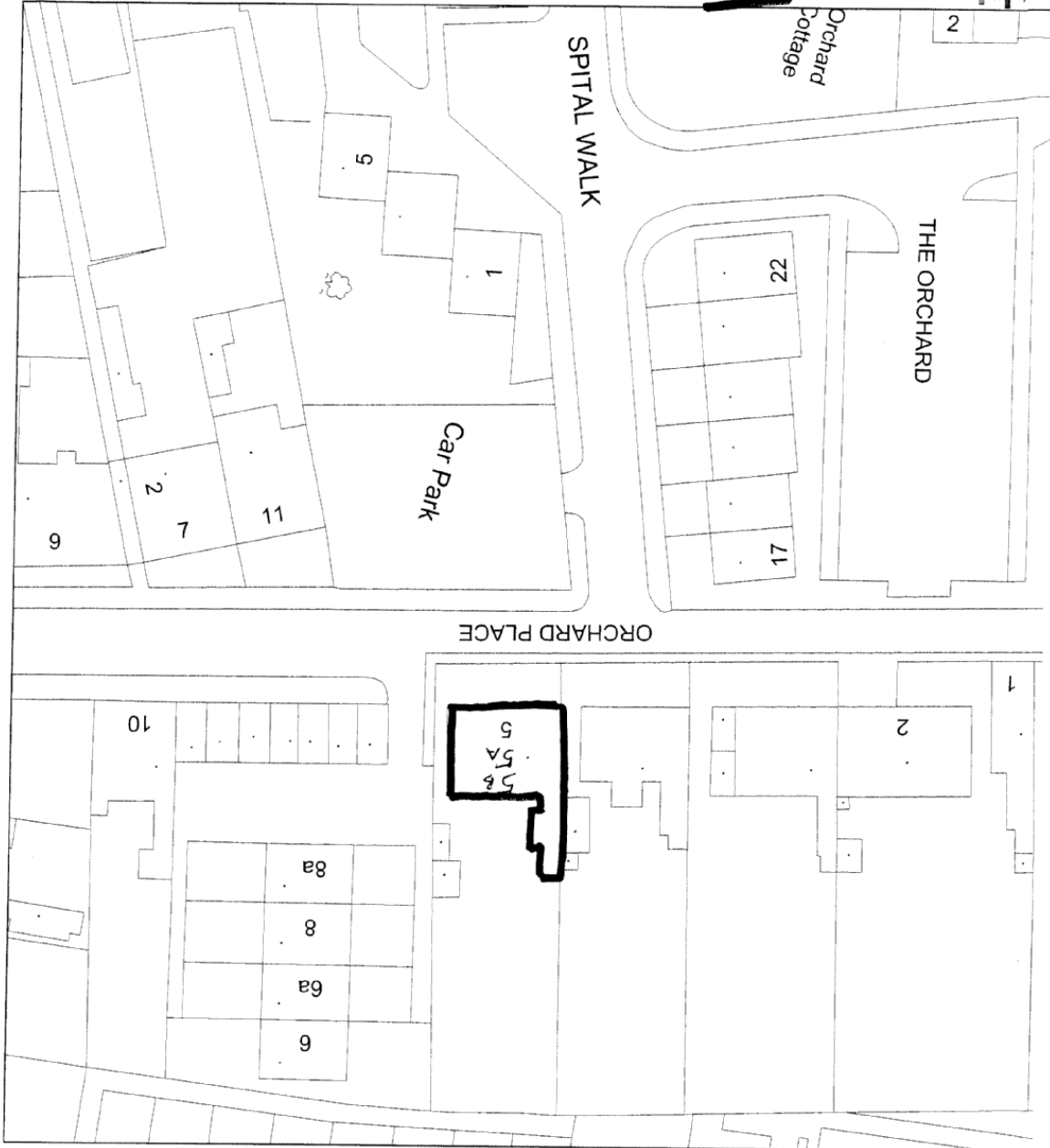
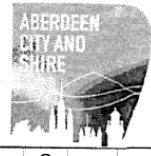
**Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of No.5A Orchard Place, Aberdeen.
- At the date of this memo, the applicant and his property are registered with the Landlord Registration scheme.
- As mentioned above, the Council received the HMO Licence application on 19 January 2009. The Council must determine the application no later than 18 January 2010, otherwise the application will become deemed to be approved, which the Council must strive to avoid. If necessary, the application can be deferred until the Licensing Committee meets again on 13 January 2010, at the latest.

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

**Ally Thain**  
Private Sector Housing Manager





**Title:** HMO LICENCE APPLICATION  
**PREMISES:** 5A ORCHARD PLACE, ABERDEEN  
**Scale:** 1:500      **Date:** 20 October 2009      **Map Ref:** NJ9407NW

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# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	18 November 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Renewal of a Licence to Operate a House in Multiple Occupation (HMO) at No.86 Hilton Heights, Aberdeen**

**Applicants: Emma Yeates**

**Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that the works and certification requirements have not been met.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is a first-floor flat contained within a four-flatted block. The accommodation comprises of three bedrooms, one public room, one kitchen and two bathrooms. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was submitted to the Council on 28 January 2009. The HMO Officer visited the premises on 20 February 2009, then he wrote to the applicant on 23 February 2009, listing the following requirements to bring the premises up to the current HMO standard:-

1. Installation of a fire alarm / fire detection system.
2. A Fire Action Notice to be displayed.
3. A fire-blanket to be installed in the kitchen.
4. All valid gas & electrical safety certificates, the Tenancy Agreement and the Notice for Display-Certificate of Compliance to be submitted to the HMO Unit.

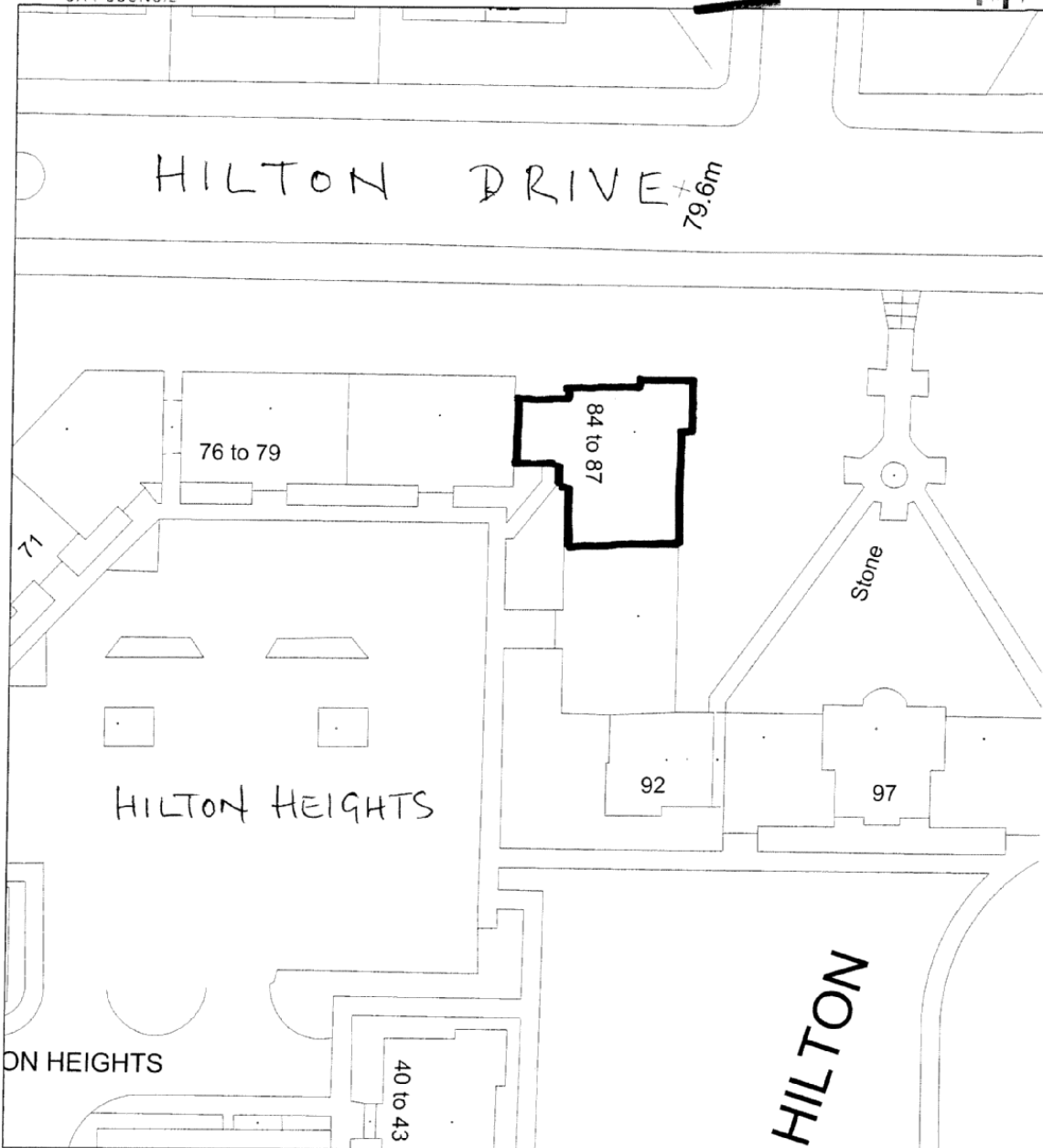
At the date of this memo, all works & certification requirements have not been met. Accordingly, the applicant has been invited to attend the meeting of the Licensing Committee on 2 December 2009, where the application will be discussed.

**Other considerations:-**


- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of No.86 Hilton Heights, Aberdeen.
- At the date of this memo, the applicants and their property are registered with the Landlord Registration scheme.
- As mentioned above, the Council received the HMO Licence application on 28 January 2009. The Council must determine the application no later than 27 January 2010, otherwise the application will become deemed to be approved, which the Council must strive to avoid. If necessary, the application can be deferred until the Licensing Committee meets again on 13 January 2010, at the latest.

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

**Ally Thain**  
Private Sector Housing Manager



Title: HMO LICENCE APPLICATION  
PREMISES : 86 HILTON HEIGHTS, ABERDEEN  
Scale: 1:500 Date: 20 October 2009 Map Ref: NJ9208SW

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# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	18 November 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Renewal of a Licence to Operate a House in Multiple Occupation (HMO) at No.610 King Street, Aberdeen**

**Applicants: William McNicoll & Lorna McNicoll**

**Agent: Remax AAA**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that the works and certification requirements have not been met.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is An upper-floor maisonette contained within a two-flatted block. The accommodation comprises of five bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was submitted to the Council on 30 January 2009. The HMO Officer visited the premises on 16 February 2009, then he wrote to the applicants on 17 February 2009, listing the following requirements to bring the premises up to the current HMO standard:-

1. Installation of a fire alarm / fire detection system.
2. Dampness is evident at the front entrance, which requires to be eradicated.
3. A Fire Action Notice to be displayed.
4. A fire-blanket to be installed in the kitchen.
5. All valid gas & electrical safety certificates, the Tenancy Agreement and the Notice for Display-Certificate of Compliance to be submitted to the HMO Unit.

At the date of this memo, all works & certification requirements have not been met. Accordingly, the applicants have been invited to attend the meeting of the Licensing Committee on 2 December 2008, where the application will be discussed.

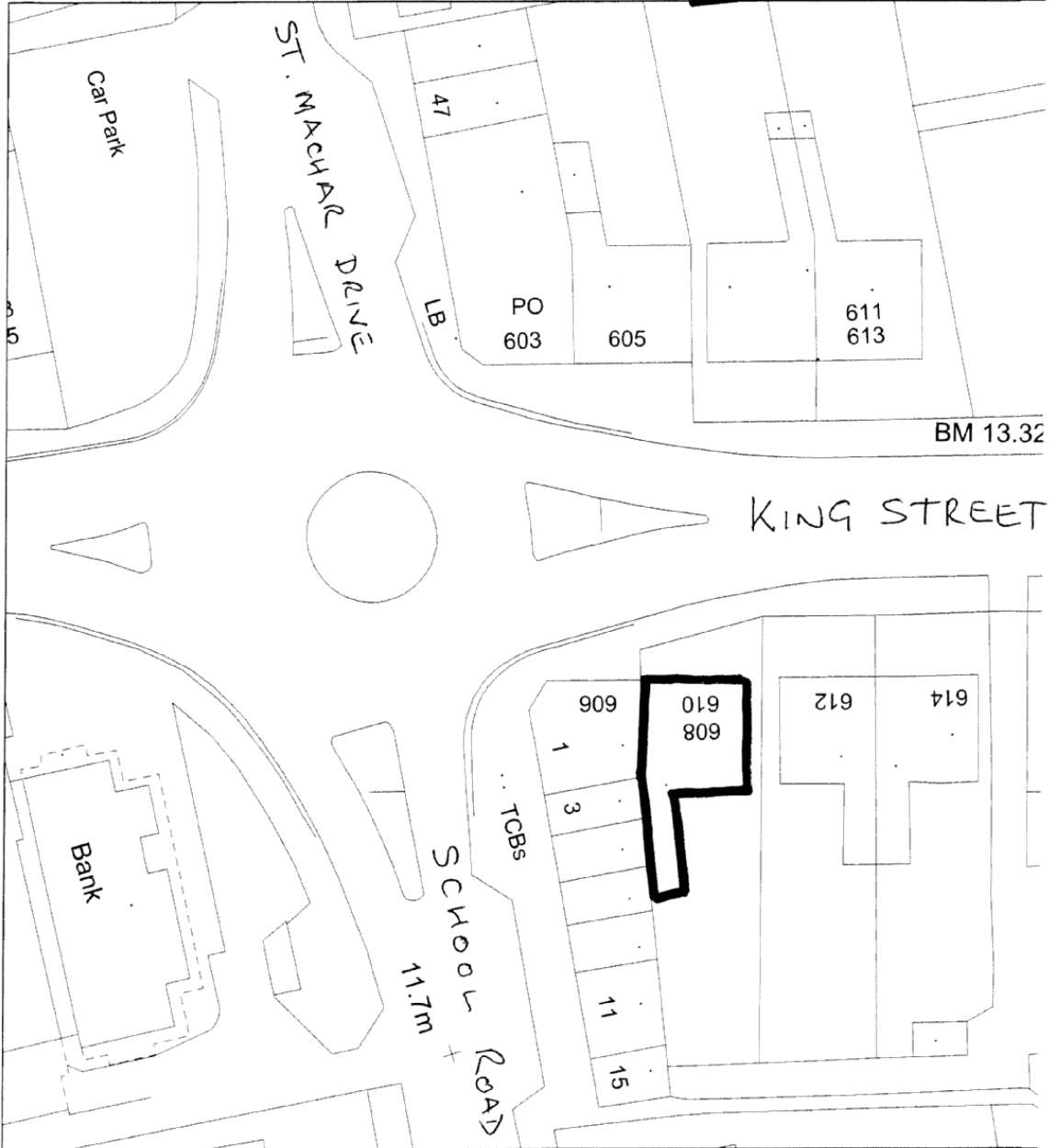
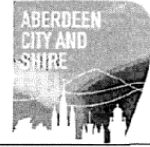
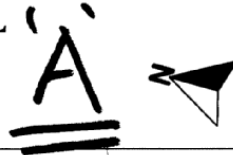
**Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicants' suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has one record of a noise complaint in respect of No.610 King Street, Aberdeen, in October 2007. The complaint was that doors were being slammed at 3am. The complaint was resolved by advice given, and no further complaints have been received.
- At the date of this memo, the applicants and their property are registered with the Landlord Registration scheme.
- As mentioned above, the Council received the HMO Licence application on 30 January 2009. The Council must determine the application no later than 29 January 2010, otherwise the application will become deemed to be approved, which the Council must strive to avoid. If necessary, the application can be deferred until the Licensing Committee meets again on 13 January 2010, at the latest.


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

**Ally Thain**  
Private Sector Housing Manager





Title: HMO LICENCE APPLICATION  
PREMISES: 610 KING STREET, ABERDEEN  
Scale: 1:500 Date: 20 October 2009 Map Ref: NJ9408SW

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Templates prepared by: GIS, Research & Information Unit, Strategic Liaison Unit Tel: 022522

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# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	18 November 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Renewal of a Licence to Operate a House in Multiple Occupation (HMO) at No.109 Craigievar Crescent, Aberdeen**

**Applicants: Susan Boulton**

**Agent: James & George Collie, Solicitors**

I refer to the above HMO Licence application, which was considered by the Licensing Committee at their meeting on 28 October 2009, for the reason that a letter of objection has been received by my HMO Unit. The Licensing Committee resolved to defer consideration of the application until its next meeting on 2 December 2009.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is an ex- Council ground floor flat contained within a 'four-in-a-block' property, with accommodation comprising of three bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was received by the Council on 14 September 2009. The HMO Officer visited the premises thereafter, then he wrote to the agent listing several requirements to bring the premises up to the current HMO standard. At the date of this memo, all requirements have not been met.

**Letter of objection:**

The HMO Unit received a letter of objection from Mrs E.MacLeod, 111 Craigievar Crescent, Aberdeen. The letter was received within the statutory 21-day period for consultation therefore it is a 'competent' objection. The letter is attached as appendix 'B'.

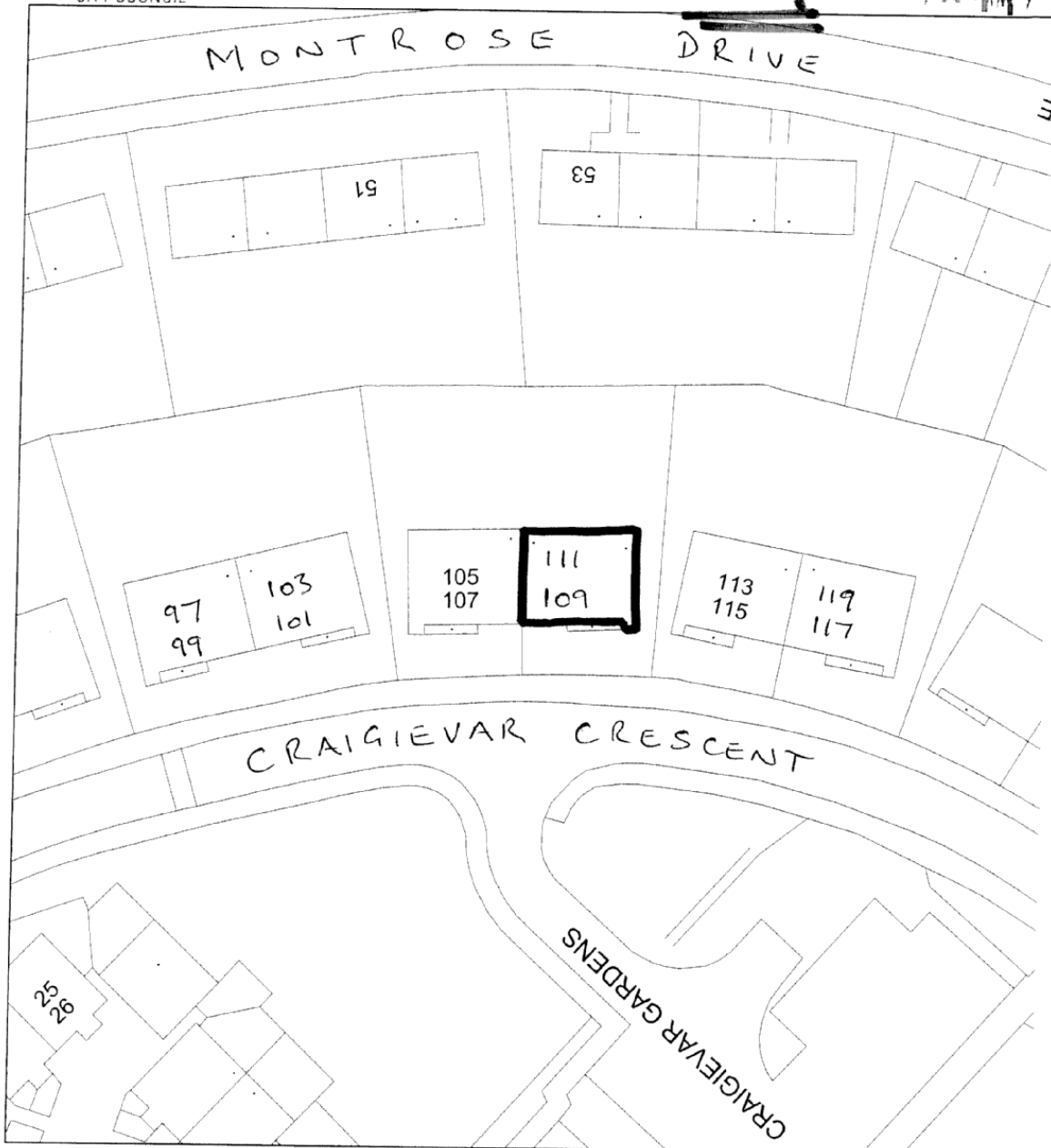
**Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of No.109 Craigievar Crescent, Aberdeen.
- At the date of this memo, the applicant and her property are registered with the Landlord Registration scheme.
- The objector lives directly above the HMO property.
- The HMO property has been the subject of two previous HMO licences.
- The applicant also owns the HMO premises at No.107 Craigievar Crescent, and has submitted an HMO Licence renewal application, which has not attracted any objections.
- The applicant's Solicitor has submitted a letter in support of the HMO Licence application, and responding to the points made in the letter of objection. The letter is attached as appendix 'C'.


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

**Ally Thain**

Private Sector Housing Manager



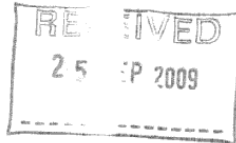
Title: HMO LICENCE APPLICATION  
PREMISES : 109 CRAIGIEVAR CRESCENT, ABERDEEN  
Scale: 1:500 Date: 13 October 2009 Map Ref: NJ9203SW

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NO live haf passed  
to estate management  
ct 25/9

111 CRAIGIEVAR CRESCENT  
ABERDEEN

18th SEPTEMBER, 2009



## APPENDIX 'B'

DEAR SIR/MADAM

THANK YOU FOR GIVING ME THIS

OPPORTUNITY TO OBJECT TO A LICENCE FOR A HOUSE OF MULTIPLE OCCUPATION AT 109 CRAIGIEVAR CRES I TOOK UP RESIDENCY WITH MY TWO CHILDREN IN A FLAT ABOVE THIS ADDRESS IN JUNE, 2002

THESE FLATS WHICH WERE BUILT BY ABERDEEN CITY COUNCIL OVER 30 YEARS AGO TO HOUSE FAMILIES ARE OF POOR SOUND CONSTRUCTION, I HAVE ENDURED SEVEN YEARS OF EXCESSIVE NOISE AFTER 11PM WHICH HAS LEAD TO MANY SLEEPLESS NIGHTS, TIME OFF WORK MEDICATION FROM MY DOCTOR AND FREQUENT OCCASIONS OF STANDING IN MY NIGHTWEAR ON MY NEIGHBOURS DOORSTEP ASKING WHAT TIME THEY WILL LET ME GO TO SLEEP.

LAST YEAR I ENDED UP LIVING ABOVE 13 CHINESE STUDENTS WHO TURNED THE LIVINGROOM INTO A MULTIPLE BEDROOM ENTERTAINED FRIENDS IN BEDROOMS UNTIL THE EARLY HOURS OF THE MORNING, IT TOOK A TEAM OF CLEANERS A WEEK TO CLEAN UP AFTER THEIR DEPARTURE AND RUMOUR OF A FLEA INFESTATION.

IN THE LAST FEW WEEKS 3 BULGARIAN STUDENTS HAVE MOVED IN, ALREADY GAINING A LODGER I BELIEVE AFTER TALKING TO THEM NEWLY EVICTED FROM A PROPERTY IN MARKET STREET, WHO THINKS HE CAN SING AND PLAY THE GUITAR! THEY OPENLY SMOKE DRUGS AND DRINK AT THE BACK DOOR IN CASE THE SOCK CALLED M.P.C. 11/10/09

I HAVE COMPLAINED IN THE PAST TO SUSAN + DAVID BOLTON ALSO JAMES + GEORGE COLLE BUT TO NO AVAIL. I HAVE TAKEN OVER THE MOWING OF THEIR GRASS AND THE PUTTING OUT OF THEIR RUBBISH BINS AS IN THE PAST WHEN RUBBISH IS LEFT TO PILE UP LOCALS HAVE BEEN USING THE GARDEN AS A LITTER BIN.

THANK YOU  
Eime Macleod  
MRS FLAINE MACLEOD.

DIARY ENTRY FOR MONDAY 21st SEPTEMBER, 2009  
RUDELY AWAKEN AT 1.20 AM WITH SHOUTING AND LAUGHTER FROM FLAT BELOW. MY ONLY THOUGHTS PLEASE DON'T WAKEN MY CHILDREN AND PLEASE LET ME GET SOME MORE SLEEP BEFORE MY ALARM GOES OFF AT 6.30AM.

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	29 SEP 2009
Date Logged on Flare	

RECEIVED-G.  
22 SEP 2009  
ABERDEEN NEIGHBOURHOOD SERVICES CENTRAL



SOLICITORS  
AND ESTATE AGENTS  
incorporating Cooper & Hay

Aberdeen City Council  
St Nicholas House  
Broad Street,  
Aberdeen

Our Ref: GS.RMO.BOL00500.2  
Your Ref:  
Date: 17 November 2009

Dear Sirs

**Licensing Committee: Wednesday 2 December 2009**  
**Application for Renewal of Licence for a House in Multiple Occupation (HMO)**  
**Premises: 109 Craigievar Crescent, Aberdeen**  
**David and Susan Boulton ("the Applicant")**

We refer to the above hearing and, on the Applicant's behalf, wish to respond to the letter of objection submitted by Mrs MacLeod ("the Objector"). We would be grateful if you would arrange for this letter to be circulated and considered by the Committee prior to the hearing.

We will, as far as possible, address the Objector's points in the order in which they are raised in the letter of Objection.

As indicated in the Objector's letter, the Objector lives directly above the Applicant's property. In buildings of this nature it is far from uncommon for sound to carry between properties - this is not the fault of the Applicant, nor the fault of the Applicant's tenants. The extent of the sound-proofing should not influence the Committee's consideration of this application. Sound-proofing is not a requirement for the granting of an HMO licence and is a matter for which separate avenues of investigation and appropriate remedy are available if necessary. We understand that the Objector has raised the matter of sound-proofing with the Council in the past.

It is not relevant that these flats were originally built to house families. The Committee will be aware that the flats are situated very close to the Robert Gordon University in Garthdee and, as such, provide suitable and affordable accommodation for students. It is unreasonable for the Objector to expect that students will not live in flats within this building. Consideration of an application for an HMO license should not be influenced by a neighbour's view on this matter.

The Objector complains of having to endure seven years of excessive noise after 11pm and sleepless nights leading to time off work and a requirement for medication.

Anthony J Dawson is accredited by The Law Society of Scotland as a specialist in Liquor Licensing Law

Doc ID: 278506

1

1 East Craibstone Street  
Aberdeen AB11 6YQ

Tel: 01224 581581  
Fax: 01224 580119

DX AB43 Aberdeen  
LP-33 Aberdeen 1

[www.jgcollie.co.uk](http://www.jgcollie.co.uk)

**Partners**

Anthony J Dawson  
Philip G Dawson  
John W Sinclair  
Duncan M Love  
Forbes F McLennan  
Gregor F Sim  
Richard D M Shepherd  
Innes R Miller  
Leanne S Gibb  
Anne-Maryse Churchill

**Consultants**

Liz J W Mackinnon  
Jack Anderson  
Rory Craddock

**Associate**

Brian Sutton

**Partnership Accountant**

Suara J T McKay CA

**Property Shop**

220 Union Street  
Aberdeen AB10 1TL

**Sales**

Tel: 01224 572777  
[property@jgcollie.co.uk](mailto:property@jgcollie.co.uk)

**Leasing**

Tel: 01224 583338  
[leasing@jgcollie.co.uk](mailto:leasing@jgcollie.co.uk)



Further, the Objector states that she has in the past complained to the Applicants and to the leasing agents, James and George Collie ("the Agents") about these matters.

The Applicants had provided the Objector with their contact details in order for the Objector to make contact if she had any issues with occupying tenants. In 2004 the Objector contacted the Applicants to complain about the tenants in the property at that time. We enclose correspondence relating to this complaint.

Councillors will note that the noises complained of by the Objector in the letter of 14 April 2004 ("to the Agents") are of a nature which cannot be completely avoided. The complaints relate to the noise of shoes on flooring, the opening and closing of doors and the noise of people entering and exiting the property. Similar 'every-day' noises such as snoring are referred to in the later letter of August 2004 to the tenants. There are no allegations of loud music or any other activity which is without doubt unreasonable or excessive.

We enclose subsequent letters written by the Agents which show that the tenants were of the view that the Objector's requests were unreasonable (amongst other things, they were asked to refrain from using hairdryers) and, at times, they felt the Objector was acting in a threatening and harassing manner.

Councillors will note from the correspondence that the Objector was requested to contact the Agents with regard to any further problems she had with the tenants. Neither the applicant, nor James and George Collie have heard from the Objector for a number of years. This is the only matter which the Objector has ever written to either party about. It should be noted that, despite the tenants' views that the complaints were unfounded and her behaviour was unreasonable, the Applicant took steps to resolve matters by referring the complaint to their Agent. The Applicants take their role as an HMO licensee very seriously and it is for this very reason they employ professional leasing agents in the local area. The Applicants could not reasonably have been expected to do any more with regard to this complaint.

We turn now to the vague and speculative complaints raised in the letter of objection. Neither the Applicant nor their agents have been contacted by the Objector in relation to any of these matters prior to the objection. It is apparent that the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of the property. Even if the averments were true (which is denied), the Objector has not made the Applicant aware of the problems and, as such, the Applicant could not reasonably have been expected to have been able to resolve these matters.

Since seeing the letter of objection, the applicant has had an opportunity to look into matters raised and would respond as follows:

The Applicant permits three tenants to reside in the property. At no time have the Applicants or their leasing agents permitted, or been aware of, any more than three people occupying the property. Both the Applicant and the Agent would hope that anyone with

'C'  
|

reason to suspect inappropriate or unauthorised use of the property would report the matter immediately. There is no evidence that any concerns have been raised in relation to this. It is believed that the assertion that the Objector was 'living above 13 Chinese students' is a vast exaggeration perhaps based on friends of the occupants visiting. The nationality of the tenants is irrelevant.

With reference to the again unfounded allegation that 'it took a team of cleaners a week to clean' the property after the previous tenant's departure, the Applicants would simply point out that they take their responsibility as a landlord, and as an HMO holder, seriously and they ensure that their property is clean and comfortable for new occupants. It is standard practice of the Applicants to employ cleaners to thoroughly clean the property before new tenants move in. With regard to the 'rumour' of a flea infestation, this is simply untrue and again without foundation. It is suggested that the Objector should report concerns to the Agents or to relevant authorities for investigation. Unfounded rumours, which have not been investigated, or even reported, should not influence the Committee's decision.

With reference to the allegations concerning the current tenants, we would again point out that the nationality of the tenants is not relevant (nor accurate in this case). Again, it is reiterated that the Applicants permit three tenants to occupy the property. The Applicants employ professional leasing agents to manage these matters.

Hobbies such as signing and playing musical instruments may not be hobbies that the Objector approves of, however, tenants are perfectly entitled to enjoy these hobbies provide they do so reasonably and with consideration to their neighbours. The Applicants have spoken to the current tenants who have confirmed that they speak amicably with the Objector. The tenants advised the Applicant that they were very grateful for the occasion on which the Objector mowed their lawn. The tenants had only recently moved in had not yet had the opportunity to do this themselves - they thanked the Objector. The tenants have agreed with the Objector that they shall, as far as possible, try and create no noise after 11pm in the evenings. With reference to the serious allegation of drug taking, one tenant has explained that he uses a legal World War II 'shesa' given to him by his grandmother to smoke flavoured tobacco. Again we would point out that there is no evidence that any matters relating to excessive noise or illegal activities have been reported to any authority.

It is understood by the Applicant that the Objector is entitled to expect that the tenants of the Applicant's property will behave reasonably and will be considerate to neighbours. However, it must also be understood by the Objector that it is not possible to prevent all sounds from carrying between properties and occupants cannot be expected to live in silence - they are entitled to enjoy the property within reasonable limits.

It is submitted that the evidence favours the assertion that the Applicants are fit and proper persons who manage the property in such a way as to seek to prevent or deal effectively with any anti-social behaviour. For an HMO licence to be refused on this occasion would allow the views, preferences and unfounded claims of a sole Objector to determine the

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granting of the licence. If HMO licences are to be refused on these grounds, there is a real danger that over-sensitive or unreasonable neighbours can prevent the granting of these licences at will.

Yours faithfully

J+GC

James & George Collie

121

Mrs Elaine MacLeod  
111 Craigievar Crescent  
Garthdee  
Aberdeen

**PROPERTY LEASING DEPARTMENT**  
220 Union Street  
Aberdeen AB10 1TL

Telephone: 01224 583338  
Facsimile: 01224 572837

E-Mail: [letting@jgcollie.co.uk](mailto:letting@jgcollie.co.uk)  
DX AB43 Aberdeen

Website: [www.jgcollie.co.uk](http://www.jgcollie.co.uk)

DATE: 14/04/2004  
OUR REF: FLD.BE.CP  
YOUR REF:

Dear Mrs Macleod,

**RE: COMPLAINT REGARDING 109 CRAIGIEVAR CRESCENT, ABERDEEN**

Thank you for your letter of 3<sup>rd</sup> April 2004 received by us today the 14<sup>th</sup> April 2004.

We are disappointed to hear of the problems you are experiencing with the tenants of the above property and we confirm a letter has been to the tenants requesting they show consideration to neighbours in connection with the noise level and in particular any late night noise.

If you can hear the tenants speaking on the telephone then this suggests the sound proofing of the flats may be poor.

If anyone is causing a breach of the peace, whether it is a property owner or a tenant, then this could be a matter to be reported to the police.

However, we trust the letter we have sent to the tenants will be sufficient to quell the noise.

Please do not hesitate to contact us if we can be of further assistance.

Yours sincerely,

**Furnished Leasing Department**

Partners *Anthony J Dawson Philip G Dawson Duncan M Love Gregor F Sim Richard D M Shepherd Michael J Murchie*  
Consultants *Alexander G Buchan Liz J W MacKinnon Jack Anderson Rory Craddock*  
Partnership Accountant *Stuart J T McKay CA* Personal Tax Adviser *Nigel R M Scott*

1

11) ORIGINAL COPY  
CARHDEE  
ABERDEEN

TUESDAY, 20th APRIL 2004

DEAR BARBARA, I RETURNED FROM THE EASTER HOLIDAYS ON SUNDAY TO YOUR LETTER, THANK YOU. WITH A POSITIVE ATTITUDE I DECIDED TO SLEEP IN MY OWN BEDROOM (MIDDLE AT THE BACK) ON SUNDAY NIGHT THERE WERE A GROUP OF PEOPLE (CONVERSING LOUDLY) UNTIL 12.45 AM AT WHICH TIME I GAVE UP ANY HOPE OF SLEEPING IN MY OWN BED LAST NIGHT MONDAY THE NOISE STOPPED ABOUT 12.30 ONLY TO RESTART AGAIN WATER WITH SNORING FROM A MALE BELOW THIS WOKE THE TENNANT WHO STARTED ARGUING WITH HIM AND THEN SHE DECIDED TO GET UP AND BANG SOME DOORS WHILE STAMPING UP AND DOWN THE HALLWAY.

I GOT STRAIGHT ONTO THE TENNANTS HELPLINE FROM THE COUNCIL WHO HAVE NOW BEGAN GATHERING EVIDENCE ON MY BEHALF WITH A VIEW TO TAKING LEGAL ACTION AGAINST MRS BOWTON.

I ALSO HAD A MEETING WITH MRS HANNAH AT THE COUNCIL TO DISCUSS THE PROBLEM A SUGGESTION WAS MADE REGARDING SOUND

C'

PROOFING OF THE ACCOMODATION WHICH WOULD HAVE TO BE CARRIED OUT FROM DOWNSTAIRS THE COST BEING SPLIT EQUALLY BETWEEN THE COUNCIL AND MRS BOWLTON.

I AM AWARE THESE STUDENTS WILL BE MOVING OUT IN THE SUMMER BUT THAT IS AT LEAST ELEVEN WEEKS AWAY I AM NOT WILLING TO PUT UP WITH THEIR LEVEL OF NOISE EVERY NIGHT UNTIL THEN THAT WOULD MEAN SEVENTY SEVEN NIGHTS OF NOT BEING ALLOWED TO SLEEP AT A TIME MYSELF AND CHILDREN CHOOSE TOO BUT WHEN THEY DECIDE WE CAN.

AS STUDENTS LEAD A TOTALLY DIFFERT LIFESTYLE, WOULD IT NOT BE MORE SUITABLE TO RENT THE ACCOMODATION TO PEOPLE WHO WOULD BE MORE CONSIDERATE TO NIEGHBOURS. AFTER THEY LEAVE.

A VERY TIRED

-Eline MacLeod

MRS. E. MACLEOD.

P.S. ALL EXCESSIVE NOISE AT THE MOMENT IS BEING CARRIED OUT BY ONE OF YOUR TENNANTS AND HER PERMANENT GUEST AND VISITORS TO THE PREMISES.

11 CRAIGIEVAE CRES  
ABERDEEN

SATURDAY 14<sup>TH</sup> AUG. 2004

DEAR NEIGHBOURS,  
YOU MAY NOT BE AWARE BUT  
DUE TO THE POOR SOUNDPROOFING BETWEEN  
OUR ACCOMMODATION I CAN HEAR EVERYTHING  
FROM YOUR FLAT. I.E. BANGING OF DOORS,  
LOUD VOICES, HIGH HEELED SHOES ON THE  
LAMINATE FLOORING, AND ENTERTAINING OF  
NON-RESIDENTIAL GUESTS IN BEDROOMS.

I CALLED YOUR LANDLADY AT 1.30AM  
THIS MORNING TO WAKE HER AND COMPLAIN  
ABOUT YOUR NOISE, I INTEND DOING THIS  
EVERY NIGHT YOU KEEP ME AWAKE. (WHY SHOULD  
SHE COLLECT YOUR RENT, AND NOT PUT UP WITH  
THE NOISE) I WAS WOKEN AGAIN AT 7AM  
THIS MORNING BY A MALE GUEST LEAVING  
YOUR PREMISES NOISELY.

I WILL NOT BE DICTATED TO WHEN I CAN  
AND CANNOT SLEEP ANY FURTHER NOISE AFTER  
11PM AND BEFORE 8AM WILL BE REPORTED  
TO YOUR LEASING AGENT AND MINE.

E MacLeod  
MRS. ELAINE MACLEOD.

101

Mrs Elaine MacLeod  
111 Craigievar Crescent  
Garthdee  
Aberdeen  
AB10 7DQ

**PROPERTY LEASING DEPARTMENT**  
220 Union Street  
Aberdeen AB10 1TL

Telephone: 01224 583338  
Facsimile: 01224 580119

E-Mail: [letting@jgcollie.co.uk](mailto:letting@jgcollie.co.uk)  
DX AB43 Aberdeen

Website: [www.jgcollie.co.uk](http://www.jgcollie.co.uk)

DATE: 10/12/2004  
OUR REF: FLD.KN  
YOUR REF:

Dear Mrs McLeod,

**Re: 109 Craigievar Crescent, Aberdeen**

We are writing with regard to the above property.

We have recently received information concerning the alleged noise pollution from our property at 109 Craigievar Crescent.

As previously advised we would be grateful if all complaints relating to this matter could be directed to ourselves or in severe instances to the police.

Anti social behaviour of any sort, from either parties will not be tolerated. As such we will be reporting our information to Aberdeen City Council for their records.

We would also like to advise that the property adheres to all current legislation in line with the Scottish Executive Houses in Multiple Occupation legislation.

Please contact our office directly should you wish to discuss this matter further.

Yours sincerely

***Furnished Leasing Department***

Partners Anthony J Dawson Philip G Dawson Duncan M Love Gregor F Sim Richard D M Shepherd Michael J Murchie  
Consultants Alexander G Buchan Liz J W Mackinnon Jack Anderson Rory Cradock  
Partnership Accountant Stuart J T McKay CA Personal Tax Adviser Nigel R M Scott



'C'  
1

Neil Simpson  
South Team  
Neighbourhood South  
St Nicholas House  
Upperkirkgate  
AB10 1AX

**PROPERTY LEASING DEPARTMENT**  
220 Union Street  
Aberdeen AB10 1TL

Telephone: 01224 583338  
Facsimile: 01224 580119

E-Mail: [letting@jgcollie.co.uk](mailto:letting@jgcollie.co.uk)  
DX AB43 Aberdeen

Website: [www.jgcollie.co.uk](http://www.jgcollie.co.uk)

DATE: 15/12/2004

OUR REF: FLD.GFS.KN  
YOUR REF:

Dear Mr Simpson,

**Re: 109 & 111 Craigievar Crescent, Aberdeen**

Further to our earlier conversation with one of your colleagues we are writing with regard to the alleged noise pollution from 109 Craigievar Crescent.

As the property management company for this property our tenants have contacted us regarding the aggressive behaviour of your tenant Mrs MacLeod. We have been advised that Mrs MacLeod has on numerous occasions visited their property demanding they refrain from generating any noise using a variety of expletives towards our tenants. Mrs MacLeod's has objected to hairdryers being used, high heels been worn and noises of a sexual nature. As you can appreciate these demands are excessive and have left our tenants feeling intimidated and scared.

Following our tenants recent visit to the office we contacted Mrs MacLeod in writing, again requesting all complaints regarding noise should be directed to ourselves, we enclose a copy for your attention. Mrs MacLeod contacted us on Monday, stating she would not be held responsible for her actions should her anger get the better of her and she would deal with the tenants herself as she felt we were unwilling to do anything. We strongly advised her she should refrain from threatening our tenants and we had discussed the issue of noise with our tenants.

Mrs MacLeod had previously written to us in April of this year advising of bedroom noises she was unhappy about, we spoke to our tenants on this occasion and replied to Mrs MacLeod requesting all future complaints she had on this matter should be directed to ourselves.

**Partners** Anthony J Dawson Philip G Dawson Duncan M Love Gregor F Sim Richard D M Shepherd Michael J Murchie

**Consultants** Alexander G Buchan Liz JW Mackinnon Jack Anderson Rory Cradock

**Partnership Accountant** Stuart JT McKay CA **Personal Tax Adviser** Nigel R M Scott

'C'  
I

Unfortunately Mrs MacLeod has not been contacting ourselves, instead choosing to go directly to the tenants door at various times of day.

It would appear Mrs MacLeod has issues with all tenants who reside in the property as she has complained about previous tenants.

Our current tenants are a group of female students, and we have no reason to question their behaviour within the property. We have asked our tenants to make a note of every time Mrs MacLeod goes to their door to ensure we have an accurate record of this harassment. We have had no other complaints from neighbours regarding their behaviour and as such feel that Mrs MacLeod's complaints are in the greatest part unfounded.

We would therefore be grateful if a record is made of this letter and should Mrs MacLeod's behaviour continue to be unacceptable then the relevant action is taken as her landlord.

We thank you for your help in this matter and please feel free to contact our offices should you have any further questions.

Yours sincerely

**Furnished Leasing Department**



# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	18 November 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Renewal of a Licence to Operate a House in Multiple Occupation (HMO) at No.44 Hilton Terrace, Aberdeen**

**Applicants: Monica Crawford**

**Agent: Bon Accord Leasing Ltd**

I refer to the above HMO Licence renewal application, which is due to be considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that letters of objection have been received by my HMO Unit.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is an ex-Council upper-floor maisonette contained within a four-in-a-block property. The accommodation comprises of four bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence renewal application was received by the Council on 25 September 2009. The HMO Officer visited the premises on 9 October 2009, then he wrote to the agent on 9 October 2009, listing several requirements to bring the premises up to the current HMO standard. At the date of this memo, all requirements have not been met.

**Letters of objection:**

The HMO Unit received letters of objection from the following persons. Both letters were received within the statutory 21-day period for consultation and are therefore 'competent' objections:-

1. Mr M.Cooper, 42 Hilton Terrace, Aberdeen (letter attached as appendix 'B').
2. Mr P.Cooper, 12 Forrit Brae, Bucksburn, Aberdeen (letter attached as appendix 'C').

**Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has a record of 2 noise complaints in respect of No.44 Hilton Terrace, Aberdeen, in October 2008. Both complaints alleged loud music and were investigated by Officers visiting the property, however when Officers reached the property no music was heard. No further complaints have been received since then. The Licensing Committee was advised of these complaints at their meeting in November 2008.
- The Council's Environmental Health database shows that 2 complaints were made in 2006, concerning bin bags in the garden of No.44 Hilton Terrace. Both complaints were resolved by giving advice to the occupants. The Licensing Committee was advised of these complaints at their meeting in November 2008.
- The applicant and her property are currently registered with the Landlord Registration scheme.
- The Licensing Committee, at their meeting on 26 November 2008, considered the previous HMO Licence renewal application in respect of No.44 Hilton Terrace, in light of a letter of objection from Mr Cooper, 42 Hilton Terrace. The Committee resolved to grant the HMO Licence for a period of one year only.
- The objector lives directly below the HMO property.
- The Area Environmental Officer has advised me that his Officers have not received any complaints about rubbish or rubbish disposal at No.44 Hilton Terrace.
- The applicant's agent has submitted a letter in support of the HMO Licence application, and responding to the points made in the letters of objection. The letter is attached as appendix 'D'.

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

**Ally Thain**  
Private Sector Housing Manager



**Title:** HMO LICENCE APPLICATION  
 PREMISES : 44 HILTON TERRACE, ABERDEEN  
**Scale:** 1:500      **Date:** 20 October 2009      **Map Ref:** NJ9208SW

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ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	09 OCT 2009
Date Logged on Flare	

'B'

Mr M Cooper  
42 Hilton Terrace  
Aberdeen  
AB24 4HD

8 October 2009

**DELIVERED BY HAND 9 OCTOBER 2009**

Dear Mr Thain

**HMO Property 44 Hilton Terrace, Aberdeen**

Thank you for forwarding to me the rather ludicrous letter dated 11 August 2009 from Bon Accord Leasing regarding the above property. **I am objecting to the renewal of the HMO Licence for this property on largely environmental grounds, but also on anti-social grounds.**

I would like the above mentioned Bon Accord Leasing letter, as well as this reply, to be available to the Licencing Committee for their consideration.

Can I first deal with a number of fallacies contained in the letter of 11 August.

1. I have no objection whatsoever to the property being an HMO property. Aberdeen is rightly proud of its Universities and obviously students must have somewhere to live if they are to be attracted to Aberdeen. I am most definitely not one of the "not in my backyard" brigade;
2. To suggest that I, a disabled pensioner, would bang on neighbour's doors at midnight for no reason whatsoever is absolutely preposterous. I have followed the explicit instructions of Bon Accord Leasing, which are, "when dealing with minor disturbances, to contact the tenants direct". I have never, and would never, knock on their door without reason. {A question which must be raised is whether these goody, goody, tenants who are in bed before midnight, are the same tenants who I am told trashed the flat – including broken toilets and holes in walls – and then left without paying rent. Breaking toilets and putting holes in walls can not be done quietly and all the noise is heard in the flat directly below them! I would suggest that the £1000 that the owner has to pay for an HMO Licence, is dwarfed by the cost to renovate the empty flat vacated by "good respectable, tenants"}

As I said my main objection to the renewal of the licence is on environmental grounds. There are still problems with full, black bin liners being strewn across my garden. I also have photographs of the offending black bags referred to in the 11 August letter. The difference being however is that, in my photographs, there are clearly holes to be seen in

them. These would have been caused by vermin. These obviously happened after the photographs taken by BA Leasing, which raises the question of why they didn't simply take the bags away, instead of photographing them!!! My photographs are attached and I would like them to be included in the papers for consideration by the Licencing Committee.

My brother was looking after my house whilst I was in hospital in June and July and he confirms in the attached letter the exact sequence of events. My neighbour also witnessed the exact sequence of events and is also very happy to confirm that they were not as BA Leasing described.

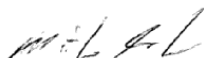
To this day, there remains a full black bin liner blocking access to my rear garden. This has been left there by the current tenants and has been sitting there for almost a week now. There is also another full black bag resting against their 'wheelie bin' which is also full of other rubbish. **{Since typing this letter I noticed today that a representative of BA Leasing had attended the property. They did not attempt to make any contact with me, and I do not know whether they spoke to the tenants of 44, but the black bags of rubbish remain there even after their visit}**

I am greatly concerned that the current tenants either have no knowledge of when bin collection days are, or, couldn't care and are happy for rubbish to stockpile in and around my garden. **I am not!!**

Bon Accord Leasing have responsibilities for this and in my view they are not discharging these responsibly.

Regarding the police visit to the Flat 44 property last year, which I personally witnessed, I have today written to Grampian Police, under Freedom of Information laws, asking for full details of any visits they have made to that property within the past 2 years. **I would like to request that Aberdeen City Council do similar.**

I do **not** give my authority for you to copy this to Bon Accord Leasing other than at the same time the Licencing Committee receive it.



Mike Cooper

Mr A Thain  
Private Sector Housing Manager  
Aberdeen City Council  
St Nicholas House  
Aberdeen  
AB15 9SD



Mr P Cooper  
12 Forrit Brae  
Bucksburn  
Aberdeen  
AB21 9SL

8 October 2009

Dear Mr Thain

**HMO Property 44 Hilton Terrace, Aberdeen**

I write in support of my brother Mike Cooper's concern regarding the renewal of an HMO licence for the above property.

Having previously worked for a number of years in the Neighbourhood Complaints Unit of Aberdeen City Council, I am no stranger to Anti-Social actions.

During the period of around 5 weeks when my brother was in hospital in June and July this year, I looked after his house and property. On one occasion I counted no fewer than 8 black bags full of rubbish which were almost blocking the access to the rear garden area. All of these had come from flat 44. The photographs provided by BA Leasing bear no resemblance to what I saw! In addition to these, an over packed wheelie bin – containing rubbish from Flat 44 – was sat on my brother's front lawn. A photograph of this is attached.

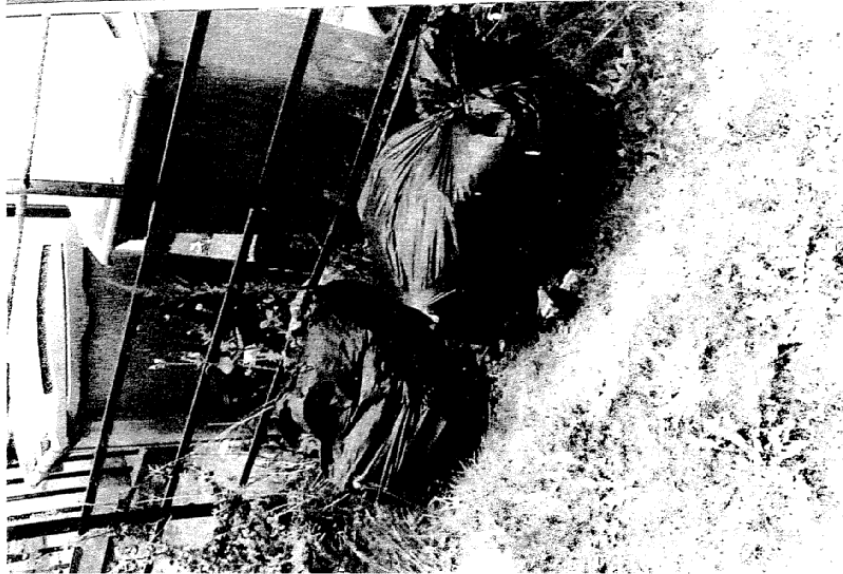
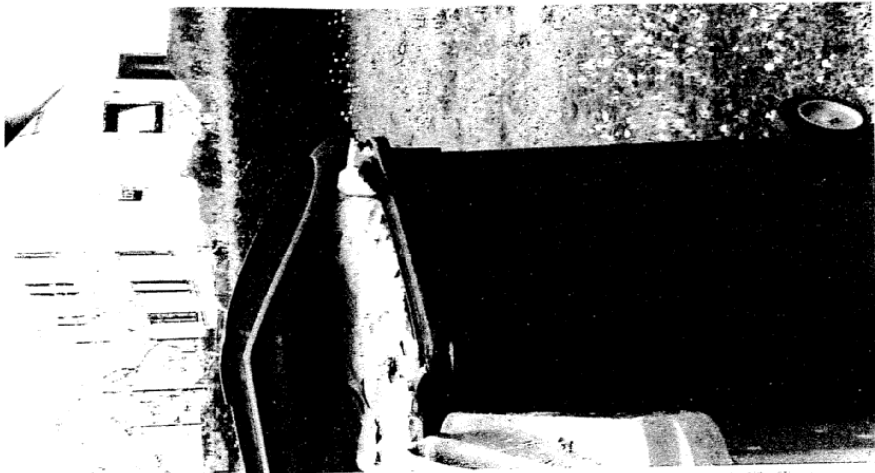
I am very happy to discuss these points with the Licencing Committee and answer any further questions they may have when they meet to consider the HMO renewal, as I will be accompanying my brother to that meeting.

**Drafted and agreed by Phil Cooper and signed in his absence.**

**Phil Cooper** 

Mr A Thain  
Private Sector Housing Manager  
Aberdeen City Council  
St Nicholas House  
Aberdeen  
AB15 9SD





06 NOV 2009

# Bon Accord Leasing



Mr Ally Thain  
Private Sector Housing Manager  
Aberdeen City Council  
St Nicholas House  
Broad Street  
Aberdeen  
AB10 1BY

11 The Courtyard  
Cults  
Aberdeen  
AB15 9SD

Tel: 01224 739771

Fax: 01224 863720

02 November 2009

Dear Mr Thain

#### **44 Hilton Terrace – Mr Cooper**

I refer to the correspondence you have been receiving from Mr Cooper and in particular with regard to his hand delivered letter of the 8<sup>th</sup> of October 2009. I apologise for the delay in responding which was due to ill health.

Mr Cooper raised a number of issues and I will not attempt to answer them all in this correspondence for fear of the whole issue getting out of hand. The facts are that we were unaware of the black bags having been deposited outside the property. The tenants had left prior to the agreed termination date without informing us. Once we did become aware we dealt with the issue immediately and most bags (five) were removed within two hours of us discovering them, the remaining two within 24 hours. There did not seem to be any holes in the bags according to our handyman who removed them.

Tenants did not trash the property nor knock holes in walls; we negotiated an early surrender of their lease as they were having financial difficulties.

We, as a company, are dedicated to providing a good professional service to all of our tenants and landlords and to ensuring that neighbours of our tenants are not inconvenienced. We are aware of our responsibilities and take them very seriously. We have twelve other HMO properties, most of them having been with us for several years and have had their licenses renewed. To date we have not had one single other complaint or objection to HMO applications. Furthermore, we visited all adjoining owners and tenants around 44 Hilton at the beginning of this year and provided them with our contact details and asked them to contact us if there were any issues regarding the tenants at 44 Hilton. To date we have not had one single call.



Email: [office@bonaccordleasing.co.uk](mailto:office@bonaccordleasing.co.uk)

Web: [www.bonaccordleasing.co.uk](http://www.bonaccordleasing.co.uk)

Bon Accord Leasing Ltd Registered Office: 11 The Courtyard, Cults, Aberdeen AB15 9SD  
Company Registration Number: sc249409 VAT Number: 852965586 Landlord Registration Number: 08028/100/20490

We also interviewed the adjoining owners regarding historic issues on the subject of the property and we were advised that there had not been any incidents, noise or disturbance of which they were aware.

Please find a copy of an e-mail attached from one of the previous tenants which is self explanatory.

I do hope that this matter does not cause the licensing committee to refuse the HMO application. In this regard, and as a gesture of goodwill, Bon Accord Leasing would be prepared to withdraw from managing the property and assist the owner to engage another agent.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken McGeechan', with a long horizontal flourish extending to the right.

Ken McGeechan  
Managing Director

**Ken McGeechan**

**From:** hugh page [w.page@hotmail.co.uk]  
**Sent:** 10 February 2009 17:10  
**To:** Office  
**Subject:** re:44 hilton terrace

44 Hilton  
terrace  
2009-02-10  
  
Aberdeen  
  
AB24 4HD

To ken McGeechan,

Enclosed in this document you will find statements referring to the incidents occurring on the 4<sup>th</sup> and 10<sup>th</sup> of February. Each statement has been verified by all those present during each respective incident.

On the evening of Wednesday 4<sup>th</sup> February, at around eleven o'clock, i was surprised to hear incessant thumping upon the front door. I cautiously ventured downstairs unnerved by the aggressive nature of this interruption. Upon opening the door I discovered it was the occupant of the flat directly beneath us. In his heighten state of aggression he proceeded to allege that there was loud music coming from our flat. This claim was entirely unfounded, indeed there had been no music played at all that evening. This i explained to our neighbour in a very calm manner, not wanting to exacerbate the situation. I refrained from remarking upon his anti-social behaviour for fear of provoking his irate demeanour. This course of action appeared to resolve the issue as we both said goodnight and returned to our respective flats.

I have today been informed of another allegation, that we the residents of 44 Hilton terrace held a party during the small hours the morning. This alleged party I have been informed took place between the hours of 4am and 6am on Tuesday the 10<sup>th</sup> of February. Again this fabricated allegation is entirely unfounded, as we were all in bed well before this alleged party took place. What's more, there is no evidence of people coming or going at these hours and no evidence of any noise being made. More importantly the premise of hosting a party between these hours is entirely ludicrous and of course incorrect.

I would like to conclude by saying that we feel acrimony in having to brook these iniquities. We whole heartedly abnegate all of these allegations yet wish to abate this issue with the upmost alacrity.

yours sincerely,



# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	18 November 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Grant of a Licence to Operate a House in Multiple Occupation (HMO) at No.2 Grandholm Avenue, Bridge of Don, Aberdeen**

**Applicants: Manuel A.Maldonado**

**Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that a letter of objection has been received by my HMO Unit.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is a detached two-storey house, with accommodation comprising of five bedrooms, one public room, one dining/kitchen, three bathrooms and one toilet. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was received by the Council on 7 October 2009. The HMO Officer visited the premises on 21 October 2009, then he wrote to the applicant on 2 November 2009, listing several requirements to bring the premises up to the current HMO standard. At the date of this memo, all requirements have not been met.

**Letter of objection:**

The HMO Unit received a letter of objection from Kenneth Miara, 79 Grandholm Crescent, Bridge of Don, Aberdeen (attached as appendix 'B'). The letter was received within the statutory 21-day period for consultation and is therefore a 'competent' objection.

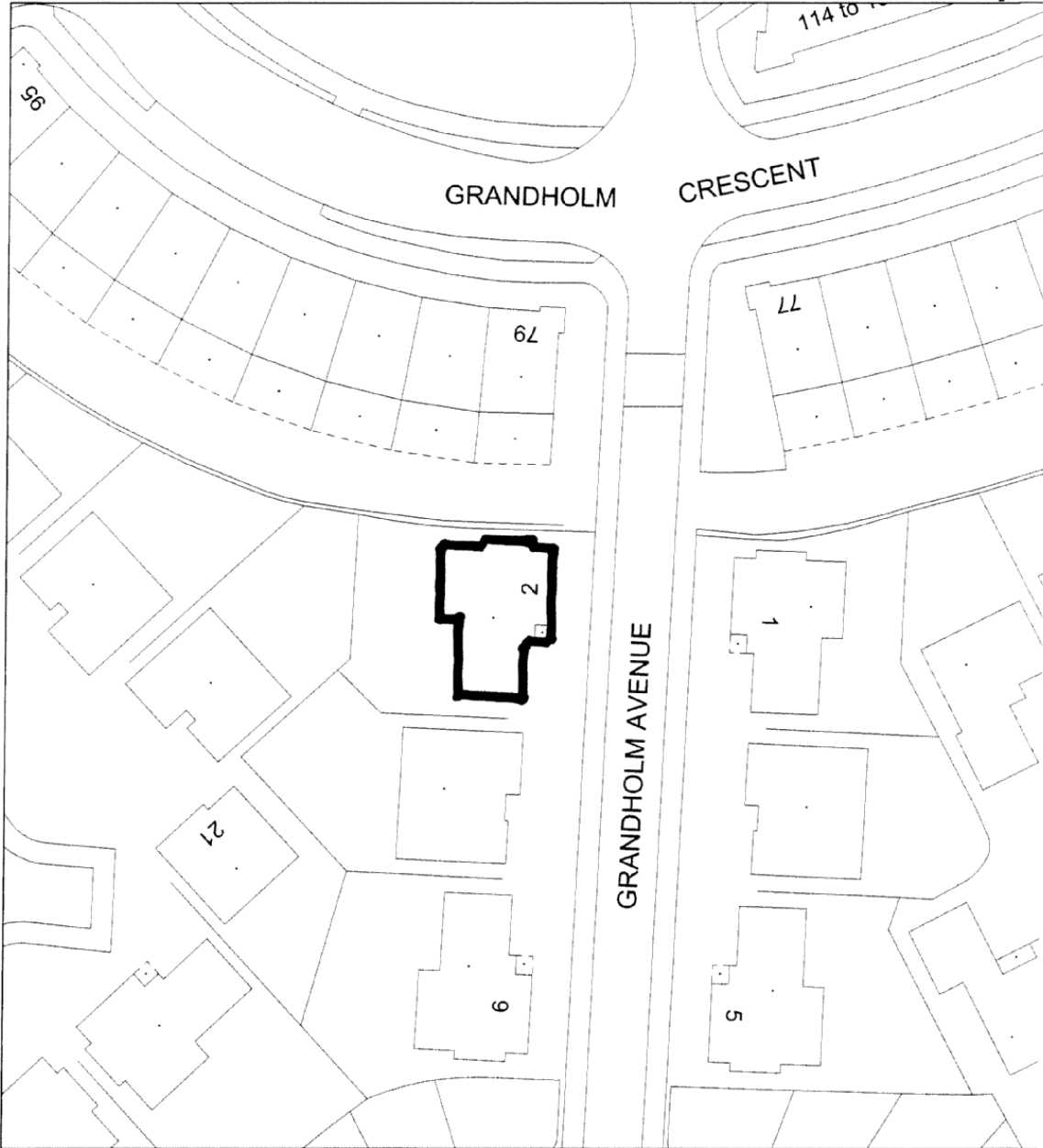
**Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of No.2 Grandholm Avenue, Bridge of Don, Aberdeen.
- The applicant is currently living in the property therefore he is exempt from the Landlord Registration scheme.
- The objector is an immediate neighbour of the HMO property.

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

**Ally Thain**

Private Sector Housing Manager



**Title:** HMO LICENCE APPLICATION

**PREMISES:** 2 GRANDHOLM AVENUE, BRIDGE OF DON, ABERDEEN

**Scale:** 1:500

**Date:** 18 November 2009

**Map Ref:** NJ9209SE



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Template prepared by GIS Research & Information Unit, Strategic Leadership Team, 12/2002

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received	28 OCT 2009
Date Logged on Flare	

'B'

FAO: Mr A. Thain  
HMO Unit  
St Nicholas House  
Broad Street  
Aberdeen

Mr Kenneth Miara  
79 Grandholm Crescent  
Aberdeen  
AB22 8AY

28<sup>th</sup> October 2009

Contact – Ken Miara  
Tel: 01224 825110  
Mob: 07767852871  
Miagi@talktalk.net

Our Reference: 2 Grandholm Avenue  
You're Reference: HMO 2 Grandholm Avenue.

Dear Sir

I wish to raise an objection to the HMO application for 2 Grandholm Avenue, Aberdeen.  
My grounds for the objection are as follows.

Grandholm Avenue is a small residential street that is closely surrounded by family homes on all sides. Parking is very restricted and already there is a growing problem with cars mounting the kerb in an effort to find space. The area is populated by families many of whom have young children and are comfortable that they are in a safe and secure environment.

In my opinion the address in question is not suitable for a HMO licence for the following reasons.  
As the property has four double bedrooms the potential would be that it may house up to at least eight adults at any one time. The property has allocated parking for two cars and this may result in up to an additional six cars attempting to park in the street and inevitably to parking in other parts of the estate.

Having a large amount of new tenants on a regular basis is also a concern. For example if these tenants are students they may change with each new term. They may also be short term tenants that are being used for seasonal work. My worry is that this type of tenant may have no regard for the environment or the neighbours that share the area.

Having spoken to some of my immediate neighbours concerns raised are that a constant turn around of new faces leads to worries in regard to home security, noise and the safety of their children.  
I am obviously concerned from a personal point of view, as my property is directly to the side of the requesting property and I do not wish to have my life turned upside down with increased noise both from people and traffic.

I hope that you may look at this objection from the point of view of the long term home owners and if possible visit the area to obtain an overall view to help in reaching a decision.

Yours sincerely  
Kenneth Miara.







# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House

<b>To</b>	Brenda Flaherty, Legal Manager, Resources Management, Town House		
<b>From</b>	Ally Thain, Private Sector Housing Manager, Housing & Environment		
<b>Email</b>	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	<b>Date</b>	18 November 2009
<b>Tel.</b>	522870	<b>Our Ref.</b>	
<b>Fax.</b>		<b>Your Ref.</b>	

**Civic Government (Scotland) Act 1982**

**(Licensing of Houses in Multiple Occupation) Order 2000**

**Application for the Grant of a Licence to Operate a House in Multiple Occupation (HMO) at No.59 Victoria Street, Aberdeen**

**Applicants: Stephen Robertson**

**Agent: Margaret Duffus Leasing**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that a letter of objection has been received by my HMO Unit.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is a top-floor maisonette flat contained within a three-flatted block, with accommodation comprising of three bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was received by the Council on 12 October 2009. The HMO Officer visited the premises on 3 November 2009, then he wrote to the agent on 9 November 2009, listing several requirements to bring the premises up to the current HMO standard. At the date of this memo, all requirements have not been met.

**Letter of objection:**

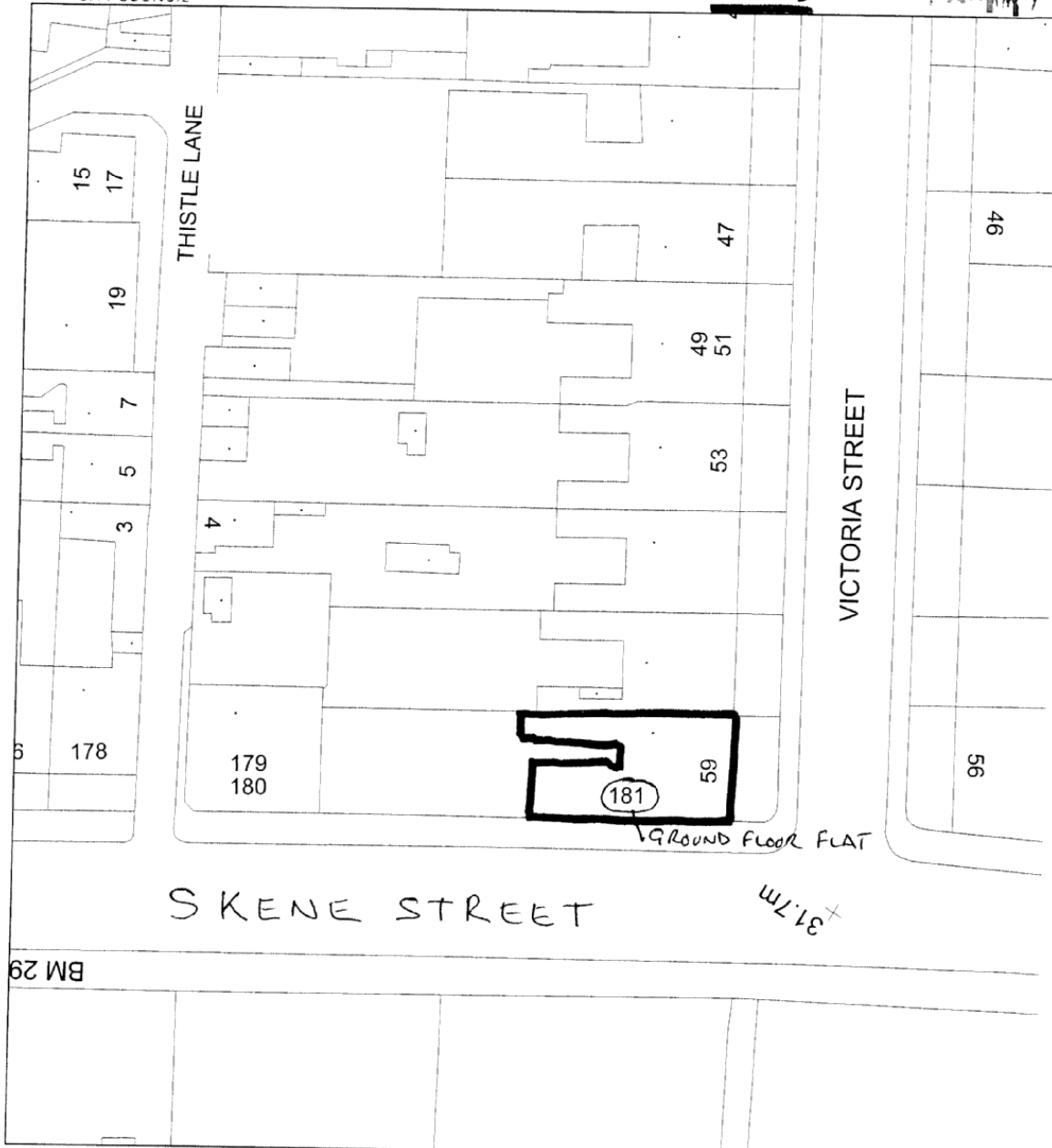
The HMO Unit received a letter of objection from M.R.Whiteley, 59 Victoria Street, Aberdeen (attached as appendix 'B'). The letter was received within the statutory 21-day period for consultation and is therefore a 'competent' objection.

**Other considerations:-**


- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of the top-floor flat at No.59 Victoria Street, Aberdeen.
- The applicant and his property are currently registered with the Landlord Registration scheme.
- The applicant, who lives in Australia, held an HMO Licence between 29 September 2006 and 28 September 2009. As stated above, the pending HMO Licence application was received on 12 October 2009, therefore it cannot be dealt with as a renewal application. At the time of the HMO Officer's visit, the property was occupied and in use as an unlicensed HMO, and this was highlighted to the agent. The agent has since e-mailed, confirming that one tenant has moved out and there are currently two tenants living there, which brings the property below the HMO threshold.
- The objector lives directly below the HMO property.

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

**Ally Thain**  
Private Sector Housing Manager



**Title:** HMO LICENCE APPLICATION  
**PREMISES:** 59 VICTORIA STREET, ABERDEEN  
**Scale:** 1:500      **Date:** 21 October 2009      **Map Ref:** NJ9306SW

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'B'  
=

59 Victoria Street  
Aberdeen  
AB10 1UX  
19<sup>th</sup> October 2009

HMO Unit  
Housing & Environment  
4<sup>th</sup> Floor  
St Nicholas House  
Broad Street  
Aberdeen,  
AB10 1BX

ABERDEEN CITY COUNCIL	
Neighbourhood Services: Central	
Attention:	
Date Received:	21 OCT 2009
Action Required:	
Copies To:	

Dear Sirs,

**Objection to HMO Application**  
**Mr S Roberstson**

I am the owner of the property below Mr Roberstons property and I write to confirm my objection to the application for HMO status posted on Victoria Street to on 09<sup>th</sup> October 2009 which is within the prescribed 21day period.

I am very concerned that there has been no notification of intent for a change of status from either the owner or the HMO unit my address which is immediately affected by the application.

The formal public notice was located on an adjacent lamp column adjacent to No 57 where a previous notice of intended roof repair to No 57 was also displayed and therefore the display was in a misleading and inappropriate site.

My objection is based on the following facts which I can substantiate further as required:

**Conservation Area**

The change to HMO is inappropriate and inconsistent for a historic Grade 2 listed building in a sensitive conservation area since it leads to a low commitment to appropriate levels of maintenance for such an important location.

The commitment to maintain a property let to tenants is obviously less than that where the owner is present and prepared to invest in maintaining acceptable standards. The property is in an important conservation area which should not be subject to deteriorating standards resulting from HMO status.

**Maintenance**

The property is not subject to a factoring agreement so it is impossible to establish or impose acceptable common maintenance agreements with tenants or absent landlords. In order to try to maintain reasonable standards it has been necessary to paint maintain and upgrade the common access area to my own individual cost. I consider that it is unreasonable to assume that I should incur more cost as a result of the increased footfall resulting from HMO. Maintenance has been deteriorating since the property has been let and both the previous and the existing tenants have not addressed roof leakage and general stairwell cleanliness. Damage from previous tenants has occurred to the common access due to unruly parties and

the downstairs owners had to formally complain about unacceptable noise and unacceptable behaviour from the previous tenants.

This was simultaneous with unreasonable littering to the front garden which is within my property boundary

**Security**

Tenants currently leave the common street access door to both properties unlocked allowing unrestricted access to the property. Resulting from some late unsocial hours disturbances from the existing tenants the lock barrel was changed with 4 keys allocated for the use of the property 3 of which were passed to the tenants indicating high occupancy of the property. The security door is still left which negates my home insurance policies which is based on a having security access to the property.

There have been instances of unsocial disturbance in the early hours of the morning.

**ASBO's**

Previous multiple tenancies have resulted in unacceptable behaviour to the previous owner of 181 Skene Street who occupied the lower floor through a single access on Skene Street.

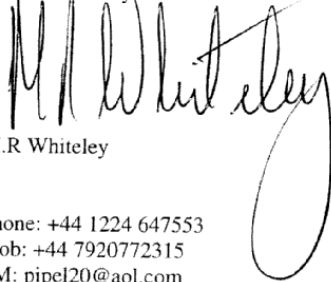
Whilst this has not led to a requirement to apply to the council for environmental review the noise from the previous upstairs tenants did cause extreme concern.

Whilst the existing student tenants are responsive to discussion the future is less certain and with the difference in age profiles will lead to increasing concern since clearly HMO is driven by financial considerations by letting the property by rooms rather than having an individual responsible for the property leading to an increased risk of ASBO's in the event of future unsatisfactory tenants.

To summarise this objection is based on a desire to maintain the conservation status of an elegant property with responsible owners with a commitment to maintaining standards. Letting a property within HMO will lead to a further deterioration in a property which already requires maintenance. It is not acceptable to increasing the footfall to my property which will lead to increasing the need to maintain common areas already neglected by the existing tenants.

I wish to know of the formal procedure to object to an approval of an HMO and whether this will require a formal lawyers representation in the event that my objection is ignored and approval of the HMO is given.

Yours Faithfully



M.R Whiteley

Phone: +44 1224 647553  
Mob: +44 7920772315  
EM: pipe120@aol.com

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34 Ardaraoch Road  
Aberdeens  
AB24 5BJ

Dear Sir or Madam,

I have two objections to this 'burger' van operating on Ardaraoch Road. Firstly, I feel that it is completely inappropriate for a burger van to operate in a residential area with houses on all sides. The smell of grease is disgusting, resulting in one not being able to open windows.

Secondly, from May till September the seagull in this area are a major problem, so having a 'burger' van would only exacerbate the problem.

I trust you will take these points into consideration when issuing any license for 6 day food sales.

I might add, I do not object to the selling of food on football match days.

Yours faithfully,  
Linda Atkinson.

42 Ardarroch Road  
Aberdeen  
AB24 5QJ

1<sup>st</sup> November 2009

Dear Licensing Team

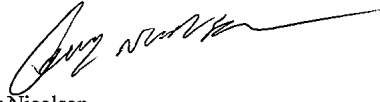
This is a note of objection to the recent application for the renewal of the licence regarding the hot food van operating in Ardarroch Road. The reasons for objection are as follows:

- 1) The already pressed parking situation here is made even worse with the hot food van, the jeep used to tow it and the parking of a camper van to ensure the space for the van remains even when not present.
- 2) The smell of burgers, onions 7 days a week is something which is rather unpleasant to come home to especially if I have left my windows open.....
- 3) When this licence was first granted the surrounding area was vastly more industrial to what it is now.
- 4) Litter has already started to become a issue.

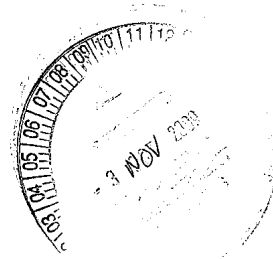
However we have no objection to the hot food van continuing to operate on match days.

If you have any queries or would like to contact myself in relation any of the above please do not hesitate. I can be contacted on (01224) 646418 or 07763 561667.

Regards



Gary Nicolson







1<sup>st</sup> November 2009

Dear Licensing Team

This is a note of objection to the recent application for the renewal of the licence regarding the hot food van operating in Ardarroch Road. The reasons for objection are as follows:

- 1) The already pressed parking situation here is made even worse with the hot food van, the jeep used to tow it and the parking of a camper van to ensure the space for the van remains even when not present.
- 2) The smell of burgers, onions 7 days a week is something which is rather unpleasant to come home to especially if I have left my windows open.
- 3) When this licence was first granted the surrounding area was vastly more industrial to what it is now.
- 4) Litter has already started to become a issue.

However we have no objection to the hot food van continuing to operate on match days.

This letter has been re-printed by myself Mr Gary Nicolson of 42 Ardarroch Road for ease of other residents who are in agreement with the above reasons and also in objection. Any deletion or amendment of the above will be initialled by the objector.

Regards

A handwritten signature in black ink, appearing to read "B. Nicolson".

48 ARDARROCH RD.

A simple horizontal line drawn in black ink.



1<sup>st</sup> November 2009

Dear Licensing Team

This is a note of objection to the recent application for the renewal of the licence regarding the hot food van operating in Ardarroch Road. The reasons for objection are as follows:

- 1) The already pressed parking situation here is made even worse with the hot food van, the jeep used to tow it and the parking of a camper van to ensure the space for the van remains even when not present. ✓
- 2) The smell of burgers, onions 7 days a week is something which is rather unpleasant to come home to especially if I have left my windows open. ✓
- 3) When this licence was first granted the surrounding area was vastly more industrial to what it is now. ✓
- 4) Litter has already started to become a issue. ✓

However we have no objection to the hot food van continuing to operate on match days.

This letter has been re-printed by myself Mr Gary Nicolson of 42 Ardarroch Road for ease of other residents who are in agreement with the above reasons and also in objection. Any deletion or amendment of the above will be initialled by the objector.

Regards

M. McNally.  
44 ARDARROCH ROAD.  
ABERDEEN.  
AB24 5QS

---



1<sup>st</sup> November 2009

Dear Licensing Team

This is a note of objection to the recent application for the renewal of the licence regarding the hot food van operating in Ardarroch Road. The reasons for objection are as follows:

- 1) The already pressed parking situation here is made even worse with the hot food van, the jeep used to tow it and the parking of a camper van to ensure the space for the van remains even when not present.
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- 4) Litter has already started to become a issue.

However we have no objection to the hot food van continuing to operate on match days.

This letter has been re-printed by myself Mr Gary Nicolson of 42 Ardarroch Road for ease of other residents who are in agreement with the above reasons and also in objection. Any deletion or amendment of the above will be initialled by the objector.

Regards

*Jim Wyness*

JIM WYNESS  
38 ARDARROCH ROAD  
ABERDEEN  
AB 24 5QJ



1<sup>st</sup> November 2009

Dear Licensing Team

This is a note of objection to the recent application for the renewal of the licence regarding the hot food van operating in Ardarroch Road. The reasons for objection are as follows:

- 1) The already pressed parking situation here is made even worse with the hot food van, the jeep used to tow it and the parking of a camper van to ensure the space for the van remains even when not present.
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However we have no objection to the hot food van continuing to operate on match days.

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Regards

*GAB on* 36 ARDARROCH RD  
*K Barr*



1<sup>st</sup> November 2009

Dear Licensing Team

This is a note of objection to the recent application for the renewal of the licence regarding the hot food van operating in Ardarroch Road. The reasons for objection are as follows:

- 1) The already pressed parking situation here is made even worse with the hot food van, the jeep used to tow it and the parking of a camper van to ensure the space for the van remains even when not present.
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However we have no objection to the hot food van continuing to operate on match days.

This letter has been re-printed by myself Mr Gary Nicolson of 42 Ardarroch Road for ease of other residents who are in agreement with the above reasons and also in objection. Any deletion or amendment of the above will be initialled by the objector.

Regards

*A. Findlay*  
30, ARDARROCH. ROAD

The Licensing Team  
Aberdeen City Council  
Town House  
Broad Street  
Aberdeen  
AB10 1FY



46 Ardarroch Road  
Aberdeen  
AB24 5QJ

22/10/2009

**MOBILE FOOD VAN ON ARDARROCH ROAD, AB24 5QJ**

Dear Licence Committee Members,

Following my email to Councillor Collie on the 21<sup>st</sup> of October 2009, I now write to the Licensing Committee with regard to the License renewal of a Mobile Hot Food Van situated on Ardarroch Road. As a resident in Ardarroch Road for the past 5 years I have had no issue with this facility being stationed here on Saturdays while Aberdeen FC have been playing at Pittodrie (twice a month), it is only now, in its full-time occupancy in a now highly residential area on Ardarroch Road that I now have to register my objection.

Since this Van has been situated outside my property, I am now no longer able to open the window of my flat, to circulate fresh air, as I found when I returned from a weeks holiday. My flat especially the bedroom curtains, bedclothes, washing & my clothing were all covered in a haze of fried oil from the van.

During my 5 years in the Pittodrie I have seen a massive change in the area, going from industrial to a residential location. Gone are the industrial units, the gas terminal & timber yard and in their place have come high quality student accommodation, executive flats & the amazing new Sports Village. But Pittodrie & Linksfield already have many outlets that proved hot food, there is a mobile food van & Mike's Fish & Chip shop on Links Road, a Tesco's on King Street and the new Sports Village has its own cafe/restaurant, I do not see why there is a need for this facility and having driven around Aberdeen I can find no other facility like this in such a residential area.

The Council & Aberdeen University must be applauded for the transformation in the Pittodrie area, especially into the Sporting meka it is now, but I feel it is a little ironic when the amount of money the Council spends on getting Aberdeen residents fit & healthy and now with the exposure of having the best sporting facilities the North of Scotland, it is slightly let down by this unhealthy facility on its doorstep.

I hope this issue will be resolved by the Licensing Committee.

Regards

A handwritten signature in black ink, appearing to read 'Tim Gray'.

Tim Gray













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Your Ref:  
Our Ref: WG  
Contact: W.Gordon  
Email: [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk)  
Direct Dial: 01224 52237  
Direct Fax: 01224 522491

18 November 2009

G & M Whyte  
Crannoch Lodge  
Grange  
Keith  
AB55 6NA

Office of City Solicitor  
**Corporate Governance**  
Aberdeen City Council  
Ground Floor  
Town House  
Broad Street  
Aberdeen AB10 1AQ  
Tel 01224 522000  
Minicom 01224 522381  
DX 529450 Aberdeen 9  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Dear Sir

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
APPLICATION FOR TEMPORARY GRANT OF STREET TRADER LICENCE**

I refer to the above application and write to advise you that the Licensing Committee, does not as a rule allow Street Trading in the city centre. Therefore, your application will be considered by the Licensing Committee at its meeting on **02 December 2009**, which will take place in the Town House Extension, Broad Street, Aberdeen at 10:00 am.

You are invited to attend the meeting and be legally represented if you wish.

If you do not attend, the Committee can consider the application in your absence and if it were refused, you would not be entitled to appeal the decision. It is therefore in your best interests to attend.

Please note that if the Committee refuses your application, it cannot entertain a similar application by you within a period of one year of the refusal, unless there has been a material change in circumstances.

Yours faithfully



**City Solicitor**

STEWART CARRUTH  
DIRECTOR

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Your Ref:  
Our Ref: WG  
Contact: W.Gordon  
Email: [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk)  
Direct Dial: 01224 52237  
Direct Fax: 01224 522491

18 November 2009

Jillian Sharp  
7 High Street  
Aberdour  
KY3 0SH

Office of City Solicitor  
**Corporate Governance**  
Aberdeen City Council  
Ground Floor  
Town House  
Broad Street  
Aberdeen AB10 1AQ  
Tel 01224 522000  
Minicom 01224 522381  
DX 529450 Aberdeen 9  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Dear Madam

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
APPLICATION FOR GRANT OF SKIN PIERCING AND TATTOOING LICENCE  
PREMISES: TEMPLE ASTHETICS**

I refer to the above application.

One of the legal requirements is that you must display a notice at your premises for a period of 21 days starting on the date you submitted your application. You have then to complete the certificate of compliance and return this to us.

I note that the said certificate has not been returned to this office. In view of this, your application will be considered by the Licensing Committee at its meeting on **02 December 2009**, which will take place in the Town House Extension, Broad Street, Aberdeen at 10:00 am.

You are invited to attend the meeting and be legally represented if you wish.

If you do not attend, the Committee can consider the application in your absence and if it were refused, you would not be entitled to appeal the decision. It is therefore in your best interests to attend.

Please note that if the Committee refuses your application, it cannot entertain a similar application by you within a period of one year of the refusal, unless there has been a material change in circumstances.

If a copy of the certificate is provided before the date of the Committee meeting you will not be required to attend.

Yours faithfully



**City Solicitor**

STEWART CARRUTH  
DIRECTOR

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V&P



**GRAMPIAN**  
P · O · L · I · C · E

*Keeping our communities safe*

Roads Policing Department  
Nelson Street  
Aberdeen  
AB24 5EQ

Our Ref: RPD 393 - 2009/10  
Your Ref:

Tel: 01224 489300

Fax: 01224 491842

Keith.Middler@grampian.pnn.police.uk

www.grampian.police.uk

Date: 12 November 2009

CONFIDENTIAL

The Licensing Team  
Office of the City Solicitor  
Aberdeen City Council  
Town House  
Broad Street  
ABERDEEN  
AB10 1AQ

FOR THE ATTENTION OF MRS BRENDA FLAHERTY

Dear Mrs Flaherty

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – LICENSING OF TAXIS AND PRIVATE HIRE CARS AND DRIVERS – OBJECTION TO THE GRANT OF TAXI DRIVER'S LICENCE – KATHLEEN HADDEN, 110 MARCHBURN DRIVE, ABERDEEN AB16 7PT**

I refer to the above application which was lodged on 17 June 2009 and wish to bring to the Committee's notice the following circumstances concerning the application.

Mrs Hadden was initially given an appointment to sit the Taxi Knowledge test on Tuesday 28 July 2009 which she failed. She was given a second date, Tuesday 10 November 2009 for another attempt but she failed to appear and made no contact with the TIC to offer any explanation.

Mrs Hadden has since been spoken to by telephone and she advised that she was away from the Aberdeen area and was likely to be for some considerable time. It is her intention to withdraw her application and a withdrawal form has been sent to her home address which she said she would endeavour to sign.

This objection to the grant of her licence is submitted lest her withdrawal form is not received within the statutory time period and should this be the case the Chief Constable strongly recommends to the Committee Members that the grant of a taxi driver's licence be refused.

Yours faithfully,

Jim Wood  
Roads Policing Inspector

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Your Ref:  
Our Ref: WG  
Contact: W.Gordon  
Email: [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk)  
Direct Dial: 01224 52237  
Direct Fax: 01224 522491

5 November 2009

Head Teacher  
Sunnybank School  
Sunnybank Road  
Aberdeen  
AB24 3NJ

Office of City Solicitor  
**Corporate Governance**  
Aberdeen City Council  
Ground Floor  
Town House  
Broad Street  
Aberdeen AB10 1AQ  
Tel 01224 522000  
Minicom 01224 522381  
DX 529450 Aberdeen 9  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Dear Sir/Madam

**APPLICATION FOR GRANT OF THEATRE LICENCE  
LICENSING COMMITTEE: 28 October 2009  
PREMISES: Sunnybank School , Sunnybank Road, Aberdeen**

I refer to your application, which was considered at the above meeting. The Committee resolved to defer consideration of the application to its next meeting, which will take place at **10:00am on Wednesday 02 December 2009** in the Town House Broad Street, Aberdeen.

**Consideration of the application was deferred for you to complete all outstanding building works.**

You are invited to attend the meeting and be legally represented if you wish. If you do not attend, the Committee can consider your application in your absence.

Yours faithfully



**City Solicitor**

STEWART CARRUTH  
DIRECTOR

**ITEM 2(31)**

**From:** BSlicence  
**To:** LicensingCommittee  
**Date:** 03/07/2009 15:44  
**Subject:** Sunnybank School  
**Place:** LicensingCommittee

**Sunnybank School**

I have inspected the above and would note the following

At present the Hall has only one effective means of escape ,under current Building Standards this would limit occupation to 60 or less persons.

I have already granted a Building Warrant for provision of an additional exit from Hall and from discussions with Council architects I understand that this work is scheduled to be undertaken in October this year.

Some Ground Floor improvements to Fire doors are also scheduled this summer.

Approval of Theatre licence application is **not recommended** until the foregoing works are completed.

In addition the following works are also required prior to approval

Contrasting nosings to external steps to aid visually impaired persons (External entrance and exits)

Edge of top of ramp and landing to be pointed to give smooth transition minimising trip hazard (Front Entrance)

Fire sign to be relocated in order to be visually more obvious for those using existing exit door from Hall (Wall opposite Hall door)

We will require to reinspect prior to recommending approval

regards

David

## ABERDEEN CITY COUNCIL

---

COMMITTEE: Licensing Committee

DATE: 02 December 2009

DIRECTOR: Stewart Carruth, Corporate Governance

TITLE OF REPORT: Procedure for Approval of Taximeter Types

REPORT NUMBER: CG-12-092

---

### 1. PURPOSE OF REPORT

To put in place a procedure for inspecting and approving types of meters suitable for use in taxis and private hire cars.

### 2. RECOMMENDATION(S)

That the Committee:-

- (1) approves the procedure for submitting a request for meter approval;
- (2) approves the proposed fee; and
- (3) grants delegated powers to officers to approve meter types where the application is accompanied by the correct documentation and the Taxi Inspector is satisfied as to the accuracy of the meter after inspection.

### 3. FINANCIAL IMPLICATIONS

There are no negative financial implications. It is proposed to introduce a fee of £50 to cover the cost involved in processing the application.

### 4. SERVICE & COMMUNITY IMPACT

This is a procedure to improve efficiency within the Licensing Team and has no community impact.

### 5. OTHER IMPLICATIONS

None.

### 6. REPORT

#### 6.1 Background

The Licensing Committee adopted a policy in 1999 whereby all meters fitted to taxi and private hire cars have to be of the time locked / calendar type. Condition 20 of a taxi operator's licence and 18 of a private hire car licence state that "The holder of a licence shall.....only use a taximeter which has been stamped or sealed by the Licensing Authority **after testing and approval** as to distance and time in accordance with the approved taxi fares and charges.....". The approval

of meter types is designed to ensure that they record the distance / time correctly in accordance with the approved taxi fares and charges. However it is unclear as to whether individual meter types must specifically be approved by the Licensing Committee or if this can be done by way of delegated powers. This report seeks to clarify the situation.

At present, examination of meters is free of charge and undertaken on an ad hoc basis, when there is time between other activities.

## 6.2 Definition

In terms of The Measuring Instruments (Taximeters) Regulations 2006, a taximeter is defined as “a device that works together with a signal generator to make a measuring instrument, with the device measuring duration, calculating distance on the basis of a signal delivered by the distance signal generator; and calculating and displaying the fare to be paid for a trip on the basis of the calculated distance or the measured duration of the trip, or both”.

## 6.3 Legislative Requirements

The Measuring Instruments (Taximeters) Regulations 2006, which came into force in 2006 implements Directive 2004/22/EC of the European Parliament on measuring instruments in relation to taximeters. It is an offence under Regulation 4(2) to place on the market, and put into use, a taximeter that does not comply with the regulations and which has not been authorised by a notified body (notified bodies are those designated by the Secretary of State as persons / organisations that meet the notified body criteria). The purpose of the Directive in relation to taximeters is to control them in order to protect against fraud or short measure.

Where, in the opinion of a notified body, a taximeter meets the essential requirements it shall be issued with a certificate or notification and will have affixed to it the CE marking, the M marking and the identification number of the notified body which carried out the conformity assessment procedure.

## 6.4 Procedure for Approval

When a request is made for approval of a taximeter, an application form (Appendix 1) must be completed and submitted with the appropriate fee, which it is proposed should be set at £50. An appointment will be made for the meter to be inspected by the Taxi Inspector. The Inspector will check: -

- a) the documentation provided;
- b) that the relevant markings are on the meter and
- c) the date and time on the meter.

If all is in order the Inspector would then take the vehicle on a road test to check the tariff is recording correctly. Once this is done, an approval form (Appendix 2) would be completed with a recommendation to either approve /not approve the meter type. If the meter complies then approval can be granted by delegated powers. Any request for approval of a meter that does not comply with the above will be placed on the agenda for the next appropriate meeting of the Licensing Committee.

### 6.5 Consultation

The report was placed before the Taxi Consultation Group for consideration at its meeting on 16 November 2009. There was no adverse comment.

## 7. REPORT AUTHOR DETAILS

Jacqui Wallace  
Administration Officer  
e-mail: [jwallace@aberdeencity.gov.uk](mailto:jwallace@aberdeencity.gov.uk)  
telephone: 01224 522985

## 8. BACKGROUND PAPERS

Licensing Committee minute 11 October 1999  
Licensing Committee minute 15 November 1999  
The Measuring Instruments (Taximeters) Regulations 2006 (SI no 2304)

## ABERDEEN CITY COUNCIL

## CIVIC GOVERNMENT (SCOTLAND) ACT 1982

## APPLICATION FOR THE APPROVAL OF A TAXIMETER

Please complete **either Question 1 or 2** and all other questions

<b>Q1. To be completed if the applicant is a Company or Partnership</b>	
a. Full name of company/partnership	
b. Address of principal or registered office	
c. Telephone number Mobile number	
d. E-mail address	
<b>Q2. To be completed if the applicant is an individual</b>	
a. Full name	
b. Home address	
c. Telephone number Mobile number	
d. E-mail address	
<b>Q3. Particulars of taximeter to be Approved</b>	
a. Make	
b. Model	
c. Manufacturer	
<b>Q4. a.</b> Does the meter have affixed to it the CE and M markings and the number of the notified body which undertook the conformity testing?	
<b>Q5.</b> Can the meter be programmed to incorporate the tariffs and surcharges laid down by Aberdeen City Council?	



I declare that the particulars given by me on this form are correct to the best of my knowledge and belief.

Date: \_\_\_\_\_

Signature of applicant or agent: \_\_\_\_\_

Agent's address: \_\_\_\_\_

Position of applicant in company/partnership if not otherwise stated:

\_\_\_\_\_

**OFFICE USE ONLY**

Date Received

Fee Paid

Receipt Number:

**NB: Any person who in connection with the making of this application makes any statement that he/she knows to be false or recklessly makes any statement that is false in a material particular, may be guilty of an offence.**

For assistance in completing the form please telephone the Taxi Inspection Centre on (01224 ) 489300

When completed this form should be returned to Aberdeen City Council, Taxi Inspection Centre, 38 Powis Terrace, Aberdeen, AB25 3RF with the appropriate fee. Cheques should be made payable to "Aberdeen City Council"

DATA PROTECTION ACT 1998

Aberdeen City Council (the Data Controller) will process the information on this form for the purpose of granting or refusing an application. The information will be disclosed to Grampian Police. The information will also be published as part of the Licensing Committee Agenda and Minutes and held on a public register, all of which will be available to members of the public.

G:\Apps\Taxis\TaximeterApplicationForm.doc

ABERDEEN CITY COUNCIL

METER TO BE APPROVED FOR USE IN TAXI / PRIVATE HIRE CARS

**APPROVAL FORM**

**METER**

<b>Make :</b>	
<b>Model :</b>	
<b>Manufacturer:</b>	

**Checklist for Vehicle Examiner :**

<b>CE marking affixed to meter</b>	
<b>M marking affixed to meter</b>	
<b>Notified Body identification no. affixed to meter</b>	
<b>Relevant certification document produced (please retain copy)</b>	

**Name of Examiner .....**

**Date of road test .....**

**Meter: Approved/Not Approved (please delete as appropriate)**

---

COMMITTEE: Licensing

DATE: 28 October 2009

DIRECTOR: Stewart Carruth, Corporate Governance

TITLE OF REPORT: Provision of Taxi Service at Aberdeen Airport and potential removal of the Zoning Condition

REPORT NUMBER: CG-10-063

---

## 1. PURPOSE OF REPORT

The purpose of this report is to enable Members to make a decision on whether to retain the zoning condition currently imposed on taxi licenses whereby taxis can either operate exclusively out of Aberdeen Airport ("the airport") or exclusively in the City.

## 2. RECOMMENDATION(S)

- a) That Members consider the arguments in this report and resolve to remove the zoning condition.
- b) If the zoning condition is removed the green taxi plates and small roof signs issued to airport operators are replaced with yellow plates at the Council's expense
- c) Officers to report back to Committee 6 months after de-zoning and again at 1 year on how the new arrangement is working.
- d) that officers be instructed to follow the statutory procedure to remove the zoning condition on all taxi licenses.
- e) That no action is taken at this time in respect of changing the fare tariff which includes a £1 surcharge for each hire commencing at the airport, to account for the "dead" mileage traveling back to the airport after dropping off a hire in the city. This will be addressed at the next taxi fare review which will be around February 2010.

## 3. FINANCIAL IMPLICATIONS

If the zoning condition is removed then all airport zoned taxis will need to have their green taxi plates replaced with yellow ones at a cost of £15 per plate. With 135 plates to replace this will cost £2,025. There are also approximately 100 roof signs (some vehicles have inbuilt signs) at £66 each, (£6600) making a total cost of £8625. The Council should bear this cost as the change will be a Council led initiative.

There are no other financial implications.

## 4. SERVICE & COMMUNITY IMPACT

If approved, the point of removing the condition is to improve the taxi service to the public at the airport. The change will be monitored.

## 5. OTHER IMPLICATIONS

The legal implications are minimal. Zoning of the airport for taxi operations is achieved by imposing a condition on all taxi licenses restricting their operation to either the city or the airport. If the zoning is removed then we will remove that condition from all the licenses, following the statutory procedure. Thereafter all taxis will be able to operate from anywhere in the city.

Other potential implications are that the taxi service at the airport might deteriorate rather than improve. We will monitor the situation as will Aberdeen Airport Ltd and their taxi managing agents to ensure consistency and quality of service.

## 6. REPORT

### 6.1 History

Since 1992 the city has been split into 2 zones for taxi operational purposes. Licence holders choose to operate exclusively from the airport zone (green plates) or the city zone (yellow plates). Initially the system was not managed in any way. Latterly, Aberdeen Airport Ltd (AAL) has contracted with a taxi company to act as the managing agents of the airport taxi fleet. Airport operators remain self employed but contract with the managing agents to work exclusively under their corporate badge, out of the airport. In return the managing agents ensure that these operators get work in preference to any other operators.

### 6.2 The “Green Light”

For some considerable time there was a large volume of complaints from the public regarding long waiting times for taxis at the airport, poor service and taxis dropping of passengers then driving away empty, despite there being a long queue at the airport taxi rank. This latter category were city zoned taxis which were not licensed to pick up at the airport. Understandably the public did not like this method of working.

In order to address this a “green light” system was introduced. Since then the level of complaints has dropped off and there are now virtually none. The “green light” works when there is a queue of passengers waiting for taxis and no airport taxis available to pick them up. The managing agent will operate the green light which signals to city taxis that they can pick up from the airport taxi rank.

The issue with the “green light” enabling city zoned taxis to pick up is that these operators are in breach of the condition restricting them to working exclusively in the city. Breach of a licence condition is a criminal offence. Airport operators do not like the green light as they view this as taking away work that is rightfully theirs with no commensurate provision to enable them to pick up in the city, thereby disadvantaging them.

### 6.3 Aberdeen Airport Ltd

The airport is a subsidiary of BAA plc. It is built on private ground, and as such, it, rather than the Licensing Authority controls the taxi ranks and the approach roads at the airport. The airport authority also controls access. The airport is managed under the Airport Byelaws 2005. Security is a prime concern following the bomb attack at Glasgow Airport several years ago and AAL has recently invested heavily in improvements to security, access, and facilities on the site. AAL charges airport zoned taxi operators an annual fee to operate from the airport,

ostensibly giving them exclusive rights to passengers who require a taxi from the airport and who have not pre booked. The operation of the “green light” system had eroded this exclusivity by allowing city zoned taxis, which do not pay a permit fee to AAL, to pick up at the airport rank.

### 6.3 The Airport Zoning Working Group

A report was submitted to the Licensing Committee on 25<sup>th</sup> February 2009 which initiated a discussion on how the situation at the airport could be resolved. The report recommended that a working group be set up comprising all interested parties to look comprehensively at the various issues surrounding the provision of a taxi service at the airport with the aim of recommending an efficient and effective option to a) the Taxi Consultation Group and b) the Licensing Committee in late summer 2009.

The Group was set up and has been meeting regularly since April 2009. There are representatives on it from Elected Members (including Ward Councillors), Aberdeen Taxi Group (ATG), Central Taxis, ComCab, airport taxi drivers and AAL.

Before the group met for the first time all taxi operators were written to and asked for their views on the operation at the airport and whether it should be de-zoned. As was to be expected there were a wide variety of views expressed and no consensus emerged. Options consulted on were:- a) removal of the zoning condition entirely, b) an overlapping zone whereby city zoned taxis could pick up at the airport when a green light was lit indicating that there was a queue of passengers waiting and c) no change to the status quo.

6.4 It was agreed at the outset that the status quo was not an option.

AAL submitted a report to the Working Group (Appendix 1) putting forward proposals for change. It supported the removal of the zone and proposed to control taxi access by use of an Automated Number Plate Recognition system (ANPR). This system will be implemented regardless of the outcome of the zoning issue and is not one that the Council can or will become involved in.

A taxi managing agent is in place to ensure the needs of passengers are being met. A dedicated airport fleet would be retained to serve the airport, working a shift system to ensure 24 hour cover. The Managing Agent organises a “top up” fleet of taxis to cope with peak demand periods. The Managing Agents must meet stringent performance standards, queue length being one of the key indicators. Taxis not authorised to go through the ANPR barrier will be permitted to pick up passengers in the short stay car park.

6.5 Rainbow City Taxis disagreed. (Appendix 2) It had grave concerns regarding how AAL’s proposals would improve the taxi service at the airport, taking the view that these proposals would have a negative effect by reducing dramatically the number of potential available taxis by not allowing them through the ANPR barrier. Rainbow favoured the overlapping zone and the retention of the “green light”.

6.6 AAL responded with another paper dated 25<sup>th</sup> June 2009 (Appendix 3). This debate continued throughout the lifetime of the Working Group with no progress being made. There was no consensus of opinion arising from the debate.

6.7 AAL , in order to move the business along then suggested that the 2 following proposals a) a taxi sharing scheme is introduced at the airport at predetermined times and during periods of peak demand and b) a Taxi Partners Programme is set up whereby other taxi firms become “partners” and register their interest with the managing agents who will then call on the partners assistance with clearing passengers during periods of high demand.

Both these options generated a lot of discussion and again, no consensus emerged.

6.8 Eventually, in order to move the discussion along, Rainbow City retracted their insistence that the only workable solution was to have an overlapping zone. The Working Group then agreed that the favoured option was to de-zone the airport by removing the appropriate condition on airport zoned taxi licenses. This is therefore the option that is recommended to the Committee in this report.

6.8 In order to ensure that the service does not deteriorate a monitoring system will be set up. A paper was presented to the Working Group (Appendix 4). Monitoring will include, among other things a question in the City Voice Focus Group regular questionnaire. There will be a six month period during which the provision of taxi services at the airport will be monitored by regular reports to officers from the managing agents and AAL. At the conclusion of that period a further report will be submitted to Committee for a final decision to be taken. No change will be made to the fare meters in airport taxis in the meantime allowing them to retain the surcharge they currently enjoy for “dead” mileage but, if the de-zoning becomes permanent then no surcharge will be payable.

## 7. FINAL CONSULTATION

7.1 While still in draft format this report was circulated for a consultation on its recommendations. The following people were consulted,:-

Internal, City Solicitor, City Chamberlain, Head of Corporate Communications, Convener and Shadow Convener, Local Ward Members.

External:- all taxi and private hire car operator licence holders, (around 1000) and the Members of the Airport Zoning Working Group.

7.2 Responses were received from 6 individuals and from Rainbow City Taxis. (Appendix 5)

## 8. REPORT AUTHOR DETAILS

Brenda Flaherty, Legal Manager, tel (52)2624, [bflaherty@aberdeencity.gov.uk](mailto:bflaherty@aberdeencity.gov.uk)

## 9. BACKGROUND PAPERS

None

30.04.09

Prior to the second meeting of the taxi working group on the 5 May, AAL wishes to put forward its proposals for changes to the current taxi licensing arrangements, in order to focus future discussions.

To recap, it is assumed there is agreement that an efficient and effective taxi service at the airport should

- 1) Ensure a sufficient number of taxis continue to serve the airport, particularly at peak times and for late flights ( and facilitate the future growth of the airport)
- 2) Consist of a dedicated airport fleet
- 3) Be a fair, safe and legal operation.
- 4) Aim to reduce the number of empty taxi journeys.

Furthermore complaints about the current system are that;

- 1) City zoned taxis have been permitted to pick up passengers at the airport taxi rank when there are queues of passengers, operating outside of their zone and therefore committing a criminal offence. Airport taxi drivers argue that they pay substantial amounts every month to operate exclusively from the airport.
- 2) Grampian Police expend unnecessary time and resources in enforcing the zoning arrangements
- 3) Current Licensing restrictions prevent airport contracted taxis returning from an outward trip with a new fare unless pre-booked, and the city zoned cabs are only allowed to set down or pick up at the airport if they are pre-booked. Inefficiency of taxi vehicle passenger carrying.
- 4) The zoned number of drivers does not meet peak or out of hours demand in itself.

With this in mind, AAL supports the removal of the airport zone.

- As is widely known Aberdeen Airport Ltd, a subsidiary of BAA plc, control the land on which the airport and surrounding approach roads rest and has powers to control access of taxis and private hire cars under the Airport Byelaws 2005.
- AAL will have the ability to control access by taxis to the airport with the use of an Automatic Number Plate Recognition system and without reliance on criminal prosecution.
- A single taxi management agent will be retained to ensure the needs of the airport passenger are being met.
- A dedicated and permitted airport fleet will be retained who will continue to serve the airport on a 24/7 basis and will follow a shift pattern to take account of the airport business.

- A 'top up' fleet of vehicles will be organised by the taxi management agent to meet the extra demand that can not be met by the airport fleet. This second tier of taxis will consist of the remaining management agents city taxis.
- It is the responsibility of the taxi management agent to meet the needs of Aberdeen Airport's passengers. They will call upon their second tier of taxis at the time they consider to be appropriate to meet stringent performance standards. AAL holds queue length as one of the most important measures and will be employing various methods to assess how well these are being managed.
- Taxis permitted to pick up at the airport will as a consequence be able to pick up from city ranks and thus increase the chances of two way loading.
- The control over these taxis in ensuring they return to the airport will be the responsibility of the taxi management agent.
- All taxis will continue to drop off passengers for the airport in the drop off area. Taxis that are permitted to access the taxi rank for pick up will do so by going through the ANPR barrier. All other taxis will be directed to the short stay car park for pick ups.

AAL are keen to discuss these proposals further at the next scheduled taxi working group meeting on 5 May. We will also be happy for the ANPR system to be explained in more detail.



Rainbow House  
 Craigshaw Road  
 West Tullos  
 Aberdeen  
 AB12 3AR



**Admin**  
**T. 01224 344800**  
**F. 01224 344844**

29 May 2009

Convenor  
 Taxis at Aberdeen Airport Working Group

○ Town House  
 Broad Street  
 ABERDEEN  
 AB10 1AQ

Dears Convenor

I would like to propose an alternative proposal for the working group to consider.

I was of the opinion that this Working Group was set up in an attempt to improve the Taxi Service at Aberdeen Airport, and also to ensure that those Taxis that do pick up are not in breach of their Licensing condition.

This proposal is based on my assumption that AAL will introduce a barrier system (ANPR) with or without the backing of this working group or Aberdeen City Council (Licensing Committee)

○ I would suggest the following be for a 12 month trial period and for the working group to meet at least three times during this period:

- 1) Retain the Airport Zone

It is my opinion that this is what the majority of Airport drivers would favour, this gives Airport drivers the security that they have exclusive rights at Aberdeen Airport during normal periods and would negate the need for these drivers to work the City ranks, which in return will provide a better service cover by the Airport fleet for Airport customers.

- 2) Vary all City zoned vehicles Licensing conditions which will allow City drivers to legally pick up at Aberdeen Airport when invited by AAL's Managing Agent "Green Light"
- 3) Instead of AAL's 2 tier system. AAL introduce a 3 tier system
  - i) Airport permit vehicles who remain the only vehicles which can wait at Airport ranks (including all Heliports)

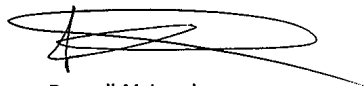
- ii) Managing Agent City fleet which can be called upon when there are no Airport vehicles available. Managing Agent can inform their City fleet via radio/data system.
- iii) Green light is retained which would inform all remaining Aberdeen taxis that passengers are waiting.

AAL and the Managing Agent seem to have already agreed/accepted what ever barrier charge AAL are levying. As Managing Agent this is their prerogative to do so on behalf of their own fleet, also to allow their own City fleet to pick up first is again an advantage of being the Managing Agent. The Taxi Managing Agent at Aberdeen Airport can not however accept a levy on behalf of the majority (800) of Aberdeen's remaining Taxi Drivers. I would urge AAL to allow these taxis to pick up without charge. At the point these taxis are required all other avenues will have been exhausted. Given that at the point these vehicles are required all the Managing Agents vehicles will have been utilised there could very well be a customer service issue.

I feel this proposals offer a more flexible service to passengers at Aberdeen Airport, and does not restrict the current 1250 taxis available fleet to a fleet of 450.

If its customer service that is paramount to AAL, surely they can see that to cut the available fleet by over 60% is not a realistic option.

Yours sincerely



Russell McLeod  
Managing Director  
Rainbow Cars Ltd

Note To Taxi Working Group  
25<sup>th</sup> June 2009

Aberdeen Airport Limited response to Russell McLeod, Rainbow Taxis Proposal

I refer to the notes from the recent meeting of the Taxi Working Group and make response to your specific request for the airport to review the possible solution proposed by Russell McLeod, Rainbow Taxis.

In the first instance, let me emphasise, the passenger is at the heart of how we manage the airport. The Airport is an integral part of the City and Shire and we accept and consider ourselves fully responsible for that our performance, and our ability to meet the needs of passengers has a large bearing on the short and long term prosperity of the North East.

Previously we tabled to the Group our key measures when considering the proposed changes to the airport zoning. Our solution took full account of these issues and we remain confident that the proposal would encompass these.

- Ensure sufficient number of taxis continue to serve the airport, particularly at peak times and for late flights
- Retain a dedicated airport fleet to support the achievement of the above
- Be a fair, safe and legal operation
- Aim to reduce number of empty / and possible speculative journeys

We will continue to use these when we consider alternative proposals.

With this in mind, when reviewing that which was put forward by Russell McLeod to the Working Group, we would make the following observations.

1. The proposal to retain an Airport Zone relies heavily on the green light system to address peak demand. The impact of this system is overstated. One of the main reasons the working group was set up, was to address the failure of the existing system to generate sufficient additional taxis at peak demand whilst it also recognised that the existing system was illegal in terms of taxi licensing.

Unfortunately, experience has demonstrated it has never been a simple case of switching the light on to generate the required number of taxis. A green light is only as effective as far as it can be seen and therefore its success is measured by the number of taxi drivers that happen to be on site. It is mis-leading to suggest and foolish to believe, that the airport has approximately 1200 taxis currently at its disposal. This does not take into account shift patterns worked by city operators, pre-ordained contract arrangements and demand generated elsewhere in the City.

2. In response to the comment regarding the airport fleet and city pick up, ultimately our joint aim was that we would endeavour to reduce the number of one-way hires. Removing the Airport Zone opens the ability for all drivers to have access to return journeys. In our proposal the Airport Managing Agent would be responsible for making the decision of whether an airport driver accepting a hire within the city would compromise the service at the airport. If necessary they would then have to supplement the airport fleet to ensure service delivery. This, I would suggest, makes this a more manageable situation for all with effective controls being exercised.

3. I note also the comment regarding securing the airport drivers' livelihood. Our proposal would also deliver this to the driver by way of a de-zoned airport but controlled and managed by a single operator.

Aberdeen Airport does not anticipate and does not support a huge increase in the dedicated airport fleet. The very nature of the airport taxi business can not sustain a fleet of more than 150 drivers without diluting their ability to earn a salary. There exists an optimum number of drivers that will service approximately 90% of the demand for airport taxis and balances the need for the airport to continue to be an enticing and viable place of work.

4. In terms of the 3 tier proposal we would make the following response. A single agent managing the overall service gives us and the agent greater control in terms of service delivery, management of capacity and demand thus ensuring that we have a taxi service available as and when the passenger requires. It is not clear what benefit a three tier proposal would give to the traveller, given the limitations of the green light system.

It is important to bear in mind that the point of the working group being convened was as a result of the green light being illegal and ineffective in managing supply and demand. The proposal merely legalises the current process that historically has been deemed ineffective.

5. We appreciate that Mr McLeod has suggested running a trial based on a 3 tier system. By de-zoning the airport as per our previous proposal we can effectively alter how the taxi service is operated and managed going forward, should the need arise. We do recognise the need for change and have more to gain and learn by running with our proposal given the current relationships and knowledge. We are confident that the scope afforded to a single taxi management agent at the airport with relative control, will be more effective and provide a favourable number of taxis than currently respond in a green light environment. This will also remove a large degree of the uncertainty that we presently experience and instil clarity in the taxi operation for the passenger.

The question of whether a charge should be imposed on non airport taxi operators picking up is not within the remit of the taxi working group. Aberdeen Airport Limited have always been consistent in their position in that as a private company, BAA receives no public funding and that it can only afford investments in the region of £30 million over the next five years if airlines, retailers, transport providers and others who profit from the airport, contribute towards the cost of providing the essential facilities on which the airport relies. Just as airlines pay to use our runways and airfield facilities, it is absolutely right that taxi operators should contribute towards the cost of providing and maintaining essential forecourt facilities. It is also worth noting that research which was issued with the Working Group Note of Meeting 06 May 2009 indicated that Taxi charging from airports is commonplace.

Following the terror attack in Glasgow in June 2007 a project was instigated and has recently been completed which has identified zoned areas for specific services and introduced further security controls to the external areas. During this project it was accepted that all passenger pick up should be accommodated within the public car parks. This was determined on the basis that the transaction time for passenger pick-up cannot easily be controlled and the arriving passengers journey can be affected by many interacting influences, ie Border Control, the wait for luggage, flight arrival times etc. All of the above makes flights arrivals an entirely different experience to a passenger drop-off which can help explain the reason why these processes have been addressed independently.

Finally, we also wanted to ensure that the forecourt facilitated the free flow of traffic and easy access to the terminal building. If we were to allow pick up from the forecourt, we would inevitably create a 'non-approved' car park and re-introduce what was originally being managed out by the project in the first instance.

In summary and considering all of the above points, it remains our opinion that our initial proposal of de-zoning is the best way forward and we will continue to work with the Council and the Taxi Working Group to facilitate its introduction.

Yvonne Birch  
Commercial Manager  
Aberdeen Airport Limited

Fraser Bain  
Terminal Manager  
Aberdeen Airport Limited

KK Lam  
General Manager  
Com Cab

**Proposed Monitoring re Airport Zoning****Existing monitoring information/sources**

NESTRANS Regional Transport Strategy 2021 Monitoring Report April 2009

**Taxis**

<a href="#">Indicator 29</a>	The number of taxis and private hire vehicles available in the northeast	On target
<a href="#">Indicator 30</a>	The number of licensed taxi and private hire drivers in the north east	No target ↑
<a href="#">Indicator 31</a>	The proportion of taxis which are capable of carrying wheelchairs	On target

Indicator 29: The number of taxis and private hire vehicles available in the north east.	<b>Baseline 2006:</b>			
		Taxis	Private Hire	Total
	Aberdeen	927	174	1,101
	Aberdeenshire	360	242	602
	North east	1,287	416	1,703
	<i>Source: Scottish Transport Statistics 2006</i>			
	<b>Monitor 2007:</b>			
		Taxis	Private Hire	Total
	Aberdeen	939	175	1,114 (+7)
	Aberdeenshire	438	274	712 (+18.3%)
North east	1,377	449	1,826 (+7.2%)	
<i>Source: Scottish Transport Statistics 2007</i>				
<b>Monitor 2008:</b>				
	Taxis	Private Hire	Total	
Aberdeen	980	207	1,187 (6.5%)	
Aberdeenshire	501	322	823 (+15.6%)	
North east	1,377	449	2,010 (+10.1%)	
<i>Source: Scottish Transport Statistics 2008</i>				
Target: To increase the number of vehicles available for hire by at least 1% per year from 2006 base to at least 2,000 by 2021.				

licensed taxi and private hire drivers in the north east.	Taxi Drivers Private Hire Total			
	Aberdeen	1,249	2	1,251
	<u>Aberdeenshire</u>	<u>1,493</u>	<u>57</u>	<u>1,550</u>
	North east	2,742	59	2,801
	<i>Source: Scottish Transport Statistics 2006</i>			
	<b>Monitor 2007:</b>			
	Taxi Drivers Private Hire Total			
	Aberdeen	1,286	2	1,288 (+3.0%)
	<u>Aberdeenshire</u>	<u>1,561</u>	<u>63</u>	<u>1,624 (+4.8%)</u>
	North east	2,847	65	2,912 (+4.0%)
	<i>Source: Scottish Transport Statistics 2007</i>			
	<b>Monitor 2008:</b>			
Taxi Drivers Private Hire Total				
Aberdeen	1,346	2	1,348 (+4.7%)	
<u>Aberdeenshire</u>	<u>1,745</u>	<u>56</u>	<u>1,801 (+10.9%)</u>	
North east	3,091	58	3,149 (+8.1%)	
<i>Source: Scottish Transport Statistics 2008</i>				

Indicator 31: The proportion of taxis which are capable of carrying wheelchairs	<b>Baseline 2006:</b>	
	Aberdeen	299 (27.2%)
	<u>Aberdeenshire</u>	<u>21 (3.5%)</u>
	North east	320 (18.8%)
	<i>Source: Scottish Transport Statistics 2006</i>	
	<b>Monitor 2007:</b>	
	Aberdeen	350 (31.4%)
	<u>Aberdeenshire</u>	<u>26 (3.7%)</u>
	North east	376 (20.6%)
	<i>Source: Scottish Transport Statistics 2007</i>	
	<b>Monitor 2008:</b>	
	Aberdeen	393 (33.1%)
<u>Aberdeenshire</u>	<u>39 (4.7%)</u>	
North east	432 (21.5%)	
<i>Source: Scottish Transport Statistics 2008</i>		
<b>Target: To increase the proportion of taxis which are capable of carrying wheelchairs to 25% by 2021 (20% by 2011).</b>		

- Annual reporting

#### City Voice – Aberdeen’s Citizen’s Panel

- Possible question for the public relating to the ease of getting a taxi at the airport, possibly time specific i.e. did you have to wait longer than 10mins?

- Transportation questions usually required for August to be included in September Questionnaire, with results in December
- If September is not achieved can try to get agreed question in another quarterly questionnaire
- Base line question prior to any changes would be advisable
- Annual reporting

A Surface Access Strategy for Aberdeen Airport 2008-2012

**Target 4:** BAA Aberdeen/ATF work with the taxi operators and the Aberdeen City Council to bring about changes during 2008 and 2009 in the efficiency of taxi vehicle passenger-carrying, both in terms of two-way loading and in increasing average taxi occupancy with a managed sharing scheme

- Base line?
- How will this be monitored? How frequent?
- SMART?

Airport Managing Agent

- Current targets for taxi waiting times
- Monitoring and reporting on agreed frequency on achievement of targets



**Possible additional new sources of information:**

Taxi Drivers

- Develop questionnaire for all yellow/green plates which could include:  
  
View of how the new system is working  
How this is affecting their business – better/worse/the same  
Suggestions for improvement
- Could be done annually/six monthly and report analysis
- Should do this early to establish base line

Public

- Develop feedback forms for issue at the airport or combine with current customer feedback
- Develop on-line questionnaire
- Utilize Council/BAA website
- Possibly use business portal websites to capture business market
- Possibly use tourist portal websites to capture tourist market
- Could be done annually and report analysis
- Should do this early to establish base line

Sandy Stuart  
(Name and address supplied)

Dear Brenda

Re Aberdeen Airport de zoning

I would urge the City Council to hold back; surely it is more important that the Council take back control of the Taxi Plates i.e. to stop companies and other people making money out of hiring out cars with plates that are not in the driver's name. At present the Council it would appear condones this practice, even though it is illegal. I wonder what will happen should there ever be an accident, with a taxi that has an illegal plate.

In view of the lack of information viz a viz B.A.A. and Com- Cabs, as to what is to happen (post de zoning) would it not be best if the Council insisted that the zoning laws as is should be implemented? Thus forcing the Airport Authorities and Com-Cab to make known their proposals.

In my opinion the only way that the Airport passengers will receive the best service, is by a dedicated taxi fleet, where a degree of control remains , however a free for all there can be no control at all and the passengers will suffer.

I would like all the Licensing Committee members to receive a copy of my letter. I thank you in advance.

YFS

Sandy Stuart (Badge No.919)

**From:** Kev L (email address supplied)  
**To:** <licensing@aberdeencity.gov.uk>  
**CC:** <jastewart@aberdeencity.gov.uk>, Jaqui Wallace <jwallace@aberdeencity.gov.uk>  
**Date:** 29/09/2009 16:57

Dear Brenda

After attending the last airport working group meeting and reading the report on de-zoning I feel that the group have over looked a few things.

I believe the aim of the de-zoning is to develop a more efficient service to the travelling public along with reducing traffic in the area (public demand, carbon foot print and congestion).

With this in mind I would like to point out my own observations.

At the moment Comcabs, as managing agent, are using the existing airport fleet and are calling on their city fleet once the zoned fleet has been depleted. Once both fleets have been depleted only then the "green light is used" to allow other sole traders or office cars to help at busy times.

This means all other city street and office cars dropping off are returning to the city empty until the green light is turned on; Empty cars leaving while Comcabs city fleet rush to the airport adding to the waiting time of passengers and the congestion in the area. (The agent are using the city fleet as they can be billed)

If the proposal of de-zoning goes ahead I can only see more problems, not only for the airport but also the cities other taxi operators be it from an office car or independent street trader.

There will be a marked up surge in yellow plate that will use city ranks reducing the work for many city cars, hitting the independent trader most as they will not have the access to the airport under the new Comcabs partnership scheme and will loose rank space in town. It must be remembered that the non office cars are the 'largest fleet' in the city with over 400 cars. With over 140 new yellow plates being able to use city ranks and the present 400 city fleet not being invited to trade under the new partnership system at the airport hardly seems a fare trade. Again this will add to passenger waiting time at the airport and bring even more area congestion than we have at present, this goes against NESTRANS and BAA ground transport strategy; When Comcabs airport fleet has been depleted they will call upon their city fleet then eventually use their partner offices , with those not participating in the scheme returning empty.

Rainbow city, the cities largest office fleet with over 300 cars, has already announced that they will not join the partnership scheme as they will have extra admin cost and added cost to their drivers. Couple this with over 400 street traders it will only leave a higher percentage of cars leaving (Rainbow, other offices who will not join, street cars not able to join, approximately 75% of total city taxis) leaving the airport empty, and those entering, (Comcabs airport, Comcabs city fleet, partner offices, approximately 25% city taxis)the airport empty. This is a non starter for the public, the city and the environment.

I must stress the cost incurred by the City Council of £8625 (which no doubt will be recouped through licence fees) will be nothing in comparison to the cost incurred by the individual city street traders who are struggling at this moment, the suggestion to de-zone would only reinforce Comcabs position on having a monopoly at the airport.

All together this exercise and the monitoring for a year will make a very unpleasant time for passengers and be very costly to ACC and the taxi trade, also jamming up the road system even further.

To this end I shall oppose any de-zoning that maybe suggested.

I would like to put my own small suggestion forward to you and the elected members that would make a huge difference to passenger transport at the airport, one that will give choice to all and be of a fare and equal system for those in the taxi trade and be one which will serve the most important issue of the arriving public to our city with far greater efficiency.

My proposal is that the airport fleet remain zoned to work there, that will retain the all important dedicated fleet. Any other taxi driver that would like to help out at busy time would pay BAA for a card that would allow them to pass the newly installed barrier on a swipe card basis (Birmingham airport operate this system and it works very well) to be topped up as and when required. Thus any city yellow plate cab dropping off would have to pay a premium for a card that has 10 pickups with no invalid date. This would allow all office and street cars to have the opportunity if required to help clear queues if the driver so wishes (drivers choice to have a card).

At the moment airport drivers pay a permit fee to BAA to operate in the zone and Comcabs city fleet are

charged £1.50 a pick up when they are called upon (50p going to CC, £1 going to BAA), when the (at the moment illegal) green light goes on there is no fee to pay for other drivers (the free pick up is seen as bad business for BAA and Comcabs so no green light until people have queued for half an hour or so).

With my suggestion it would be BAA selling the cards and they would have total control of the queuing time and the switching on of the green light. Buying a card would then become a temporary permit allowing those holders to pick up when the green light is switched on without breaking the law. Cards can be held in cars and used anytime help is needed.

The cost of this would be none to the Council, none to taxi offices, minimal to 'ANY' driver, less demand for licence and hackney changes and most importantly it would be of huge benefit to the travelling public with readily available cars on instant demand with the added bonus of reducing traffic in the vicinity and that of any green issue.

Only one factor will have to be considered and addressed, that is the one of the implementation of the barrier system. The cost would have to be borne by BAA, all monies eventually being recouped through the card payment system. My opinion is that BAA should bear any cost in any instance.

I believe that this would be a far better proposal and suit the needs of passengers in turn be a fair system to all in the taxi trade.

I look forward to your response and comments  
Yours sincerely

Kevin Leiper  
(Independent street taxi)

Ps, Can I ask you to circulate this email to all concerned in the airport issue 'within the council and NESTRANS' as I am sure you have a better facility to do so, rather than me sitting trying to find and typing loads of email addresses, cheers.

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With Windows Live, you can organise, edit, and share your photos.  
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**From:** alastair howitt (email address supplied)  
**To:** <licensing@aberdeencity.gov.uk>  
**Date:** 23/09/2009 21:55  
**Subject:** airport de-zoning

From alastair howitt taxi driver

I am not in favour of de-zoning.

I believe it would give a lower standard of service. My reasons are :

Drivers would only work at peak times and take "the cream" of the jobs, it is not financially viable to sit there for the late flights or weekends, the rank would be empty. At the moment there is some form of rota system. Where are the airport going to get cars at two o'clock on a sunday morning for a flight late from spain. I can see the headlines on mondays paper "Aberdeen airport nightmare again".

At the moment they have a high standard of dress code, good clean cars, good knowledge of business parks, a variety of vehicles for the job and a management system that i believe to be about 95% efficient.

The green light would work if it was managed properly. They leave it far to late to turn it on and that upsets the public, every airport taxi has a GPS

fitted so they know exactly where the cars are ,there are no excuses!

On the subject of barriers and out of zone charges i hope the council will stand up to "bully boy" tactics of implementation. Everyone wants something for nothing the airport, the council, the taxi driver, the operators. It is in everyone's benefit to come to a common agreement.

This problem was caused in the first place by lack of investment from the airport, council and government. If we had a proper integrated transport system policy, this would not have happened. To take fifty minutes to travel seven miles is a disgrace in a city the size of Aberdeen.

At present we have to make the best of a bad situation, which should never have occurred in the first place.

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**From:** Michael North (email address supplied)  
**To:** <licensing@aberdeencity.gov.uk>  
**Date:** 29/09/2009 22:50  
**Subject:** dezoning of airpport .

hi , i am a "streetcar" taxi . ie no company radio . like many hundreds of taxis in aberdeen are . this does nothing for me and other street cars . this will mean a two/tier licensing . this is my eyes and am sure against european law , restricting my trading . although having been issued by the license from the same source and paid the same , i/we will be denied the same "working rules/conditions".?i hear repeatedly that the customer comes first from airport people etc . why then is it only ONE WEEK every two years (oil week ) that anyone can pick up at airport .? this is just a money making stunt ?.if they airport/ council had been/are so worried about pleasing the public arriving at the airport this practice allowing of picking up should of been more widespread than every two years . . the road infrastructure would/should of been sorted out long/long ago . but the again hear we have a LACK OF PLANNING AUTHORITY .? when new airport was built

70"s, they had a blank canvas to work with . they got it wrong then and have continued to clog-up the roads around the airport .some bright spark thought it better to put on a cyle lane on approach road rather whan widen road . how many cylists use this in a day ? less than 100 , how many thousands of cars vans are stuck in the same road . yet the FREE LOADERS ( the cylists )sail by the standstill road tax paying users . another cuckoo decision that makes it harder to provide adequate service to airport . have any of you on this committee ever taken so long to go the 400 yds from the front door to the shell garage at any other airport . i certainly have not . instead of welcome to aberdeen it should read WHAT A WELCOME TO ABERDEEN. no amount of taxis at this time will improve service to customers . the green light is as good or as bad as those who operate it . i hear from airport taxis sister com-cabs drivers that at many/many times

the light is late reluctantly or never put on even if there is large amount waiting at shelter.? the roads around the airport is number one thing that has the greatest hindrence of providing a fit/proper service . ! if this area is dezoned and airport taxis and certain radio controlled companies get more than me/other street cars . i/we would need a greatly reduced cost of our "same"?? trading license issued by the council . thats why this two tier system would be wrong .yours michael north (address supplied) . a hackney carriage driver since 1978 .

DEAR SIR/MADAM  
 HAVING READ THE REPORT ON RECONING ABERDEEN  
 THE FIRST THING TO REMEMBER IS THE DOP  
 IN COMPANIES THIS TELLS YOU THAT THE SYSTEM  
 IS WORKING WHICH IS THE MOST IMPORTANT THING  
 ALSO AS A RSO PLEASE ASK YOU DO NOT MENTION  
 ANYTHING REGARDING THE PRIVATE AIRS DRIVES  
 IF 160 AIRBOR TAXIS MOVE ONTO THE SYSTEMS  
 CIVING DOES IN THE CITY THIS WILL EFFECTIVELY  
 CUT RSO PLACES OFF THE ROAD AS A RESPONSIBLE  
 EMPLOYER ABERDEEN CITY COUNCIL NEED TO CONSIDER  
 THIS ON THE WAY THE SYSTEM ABERDEEN  
 WAS IN PLACE WORKS WELL AND WE ARE ALL  
 MAKING A CIVING EVEN THOUGH MOST WORK  
 LONG HOURS SO I THINK THE COUNCIL  
 SHOULD REMEMBER THE OLD SAYING  
IF IT AINT BROKE DONT FIX IT  
 YOURS J.M  
 P/HIRE 69

Rainbow House  
 Craigshaw Road  
 West Tullos  
 Aberdeen  
 AB12 3AR



Admin  
 T. 01224 344800  
 F. 01224 344844

29 September 2009

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



Dear Convenor

**Reference: De-Zoning at Aberdeen Airport**

Having been a contributor at the Airport working group, and having seen how our local press have interpreted the report I feel it was my duty to at least inform members of your committee that in my opinion the media headlines "Free for All to Cut Taxi Queues" at Aberdeen Airport is a total misconception.

If you read the report it is very apparent that AAL will implement the ANPR barrier no matter what decision the Licensing Committee make, this will inevitably reduce the amount of available taxis at Aberdeen Airport during peak periods. Since day one of the Airport Working Group AAL's intentions have been crystal clear to everyone attending these meetings.

From a group that was set up to find a way to legally allow City drivers to "help" at Aberdeen Airport during peak periods, we now find ourselves in a position where 65% of Aberdeen Taxi Drivers who are not Airport Taxi Drivers or affiliated to AAL's Taxi Managing Agent will incur a charge if they are requested to pick up passengers at Aberdeen Airport. This whole Working Group process has been hijacked by AAL to create an additional revenue stream.

If this is not bad enough the Licensing Committee are now being asked to ratify and condone this action.

The Airport Working Group originally had 3 options to consider:



**De-Zone, Over Lap Zone, Status Quo**

If Aberdeen City Council de-zone AAL will introduce the ANPR system incurring a barrier charge.

If Aberdeen City Council adopt the over lap zone AAL will introduce the ANPR system incurring a barrier charge

If Aberdeen City Council do nothing (Status Quo) AAL will introduce the ANPR system, incurring a barrier charge

In other words AAL have a win, win, win situation !

I would ask members to pay particular attention to 6.4 in the report and especially "This system will be implemented regardless of the zoning issue and is not one that the Council can or will become involved in" I totally disagree with this statement.

Aberdeen City Council Licensing Committee governs and legislates for all aspects of Taxis in Aberdeen including fares. The author of the report may well be correct that you can not get involved in what private business (AAL) does but surely morally you should not change legislation at a third parties request knowing that it will ultimately have a negative financial implication for 65% of Aberdeen Taxi Drivers.

Unfortunately AAL has manipulated this whole issue for their own financial gain. Aberdeen City Council are left in an impossible position no matter what they decide there will without doubt be a negative impact on passengers at Aberdeen Airport. If only half of these 65% of Taxi Drivers decide not to take part then that is over 400 drivers who previously were perfectly willing to help when needed, will now be unable to.

The automatic number plate recognition (ANPR) system that AAL have installed at Aberdeen Airport is not a cash barrier, therefore Taxi Offices will be required to register its drivers with the Taxi Managing Agent then collect the fee from its drivers and pass to the Managing Agent. At present I am not aware of any company who is willing to participate in this scheme. There are also 300+ drivers who have no affiliation to any office, unless AAL have had a change of mind there will be no way for these drivers to participate.

I understand that you have no power to stop BAA doing what they want to do but surely you owe 65% of Taxis drivers in Aberdeen more than just to capitulate.

I would urge the Licensing Committee to try and open some sort of dialogue with AAL on drivers behalf, but in the meantime I would ask that you change nothing. Let AAL introduce the ANPR, let AAL make the change, if it works for passengers at Aberdeen Airport then Aberdeen City Council can then make what ever changes are necessary.

By sanctioning AAL's proposal Aberdeen City Council will undoubtedly share in any blame if AAL's proposed scheme is unsuccessful.

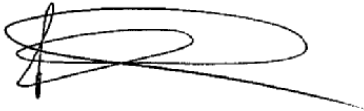
Aberdeen City Council could commission a survey to every Taxi Driver asking if they are willing to pay AAL's charges. Alternatively the Licensing Committee could agree that any levy that AAL

impose on Aberdeen Taxi Drivers and any subsequent increase can be passed on to the customer.  
Where could this end?

By agreeing to what AAL are proposing you will have turned your back on approximately 800 Taxi Drivers who are dependant on this Committee for their working conditions.

I will be in attendance at the meeting on 28<sup>th</sup> October; I would be willing to take part in any discussion.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'Russell McLeod', written in a cursive style.

Russell McLeod  
Managing Director  
Rainbow Cars Ltd

17/09/2009) Brenda Flaherty - Fwd: ABERDEEN AIRPORT TAXI PROVISION

**From:** Licensing  
**To:** Brenda Flaherty  
**Date:** 17/09/2009 08:55  
**Subject:** Fwd: ABERDEEN AIRPORT TAXI PROVISION

Licensing Team  
 Office of City Solicitor  
 Resources Management  
 Aberdeen City Council  
 Ground Floor  
 Town House  
 Broad Street  
 Aberdeen AB10 1AQ

Direct Dial 01224 522377  
 Direct Fax 01224 522491  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

>>> JAMES LEIPER < > 16/09/2009 13:40 >>>  
 Dear Sirs,

I am surprised to see such backward thinking proposals for the provision of taxis at Aberdeen Airport if the Airport is to be DE-zoned then it should be available to every licensed taxi with a yellow plate in Aberdeen not to one select company if you go down this route we will still have passengers waiting in a queue watching Aberdeen taxis dropping off and driving away empty this is unacceptable.

What B.A.A. and there managing agent are trying to achieve is simply making money and they are not interested in providing a better service to the citizens and visitors to our City.

The council has a great opportunity to go public and tell the people of Aberdeen that they want to DE-zone the Airport as long as B.A.A allow every available Aberdeen taxi to be free to pick up there if they do not agree to this then the council will stipulate that the rank remains zoned and the full letter of the law will be applied and let B.A.A and Com Cabs take the flak for not providing a service and putting profit before people.

All this talk of the whole Com cab fleet and partner taxi companies to help out when the Airport rank is busy is just window dressing to achieve the ability to fleece taxi drivers and worse the passengers as well no company will risk there core business to service the Airport rank and as any honest taxi driver will tell you the Airport and the taxi office cars are busy at the same time IE 08am to 09.30 am and 4pm to 6pm please do not allow this greed to further tarnish our city's reputation.

Thank you for allowing my input to this debate and I sincerely hope that the measures taken will improve the service to the passengers and not just fill the pockets of foreign companies.

Kind regards

Jim Leiper

Taxi licence holder and driver

Former Airport driver but thrown of the rank for daring to have a conflicting opinion from Com Cabs and no help from B.A.A. when informed of the bullying and unjust treatment from there managing agent.

General Manager.  
British Airport Authority  
Aberdeen Airport  
Brent Road.  
Aberdeen.

Date 14<sup>th</sup> November 2009.

Subject :-                      "Note Of No confidence"

With reference to the attached document  
we Aberdeen Taxi Drivers (Airport)  
request an urgent meeting with all  
relevant parties (with open working days)  
in an attempt to rectify major problems  
that exist @ Aberdeen Airport.

Our only concern is to provide an  
efficient & effective taxi service.

From Aberdeen Taxi Drivers (Airport)  
Aberdeen Airport

Contact No  
07818646370

---

Copies to :-    Homecabs Aberdeen  
                         Homecabs London  
                         Aberdeen City Council.

WE THE ABERDEEN AIRPORT TAXI DRIVERS WISH TO  
 CAST A VOTE OF NO CONFIDENCE IN THE COMCAB  
 AIRPORT MANAGEMENT TEAM AND URGENTLY REQUEST  
 AN IMMEDIATE MEETING WITH ALL DRIVERS PRESENT.

NAME	CAB NO.
J McKay	65
E McKay	50
<del>C McKay</del>	37
Ally Angus	78
L Davidson	19
J Davidson	128
Campbell	30
Eddie Morrison	120
<del>B. Keith</del>	49
Paul Wessel	63
James B. Wilson	59
George Robertson	31
D. McKay	23
W. Patrick	51
J. Jones	77
J. J. U.	123
Tom Jones	111
B. Berry	99
M. Harris	100

NAME	CAB NO.
S. BAXTER.	42
E. B. ROBERTSON	47
<del>R</del>	20
<del>9</del> <del>dyker</del>	A2
<del>D J L</del>	A14
<del>D M G S</del>	4
<del>B. Summers</del>	112
<del>J. P. G. L.</del>	106
<del>J. P. G. L.</del>	149
WR <del>Holt</del>	119.
Fred Paterson	143
<del>J. C.</del>	A130
<del>D. T. F.</del>	A15
K. Stuart	A86
D. R. G. M.	101
<del>H. S. L.</del>	A69
N. Kering	A5
Jim Wigness &	G91
<del>H. W. L.</del>	A61
T. K. Price	A12.
C TAYLOR	A61
George Ruder	G76

NAME	CAB NO.
Bill Munro	A71
PETER ROSS	A68
J. BULL	A87
alison Macdonald	A43
J. Dowler	A104
B. BILLET	A53
H. FROU	118
P. Buchan	9.17.
DAVID McWILLIAM	27
BILL NICOL	38
JACK MCKIMMIE	3
BOB WADE	7
RUSSELL NAPIER-RITCHIE	133
Gene May	21
to McKay	A55
Smukerina	54
MONCEF - MESKINI	A9
ALFIE WATSON	A155
GORDON BURKE	57
D. <del>SS</del>	33
W R Burke	136
Allen Ford	25

NAME	CAB NO.
S Ross	28
A Petrie	36
J MacGregor	39
J M Wilson	44
Amy Mulloy	34
Sim Thorburn	134
Bruce McEwen	113.
W M	124
D Brown	74
D. GREGG	35
A. Gordon	144
D McDonald	127
G. H. H. H.	95
W M. H.	205
S 73	75
A. H. H.	90
A. H. H.	96
M. H.	139
C. H.	85
R. H.	18
H. H.	117
D. Webster	110



NAME	CAB NO.
P Campbell & C Campbell	A 96
A Middleton	22
W HARKINS	108
S. Steyer	45
Kevin Weir	89
Derek Lunsdale	92

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Sandy Stuart  
4 Mameulah View  
Newmachar  
AB21 0LR  
01651 869086

Dear John

Thank you so much for taking an interest in our plight at the Airport. Although the survey is ongoing I have given you the sheets completed as of 26<sup>th</sup> October 2009.

The situation as it stands at the moment: 75 drivers responded  
12 in favour of de-zoning  
3 abstentions

Which leaves 60 drivers against de-zoning of the airport, as I have previously stated the survey is still ongoing, as you can imagine trying to catch the drivers between hires is a somewhat slow process. However this will give you an idea of how we feel.

Thank you once again.

Regards  
Sandy Stuart

SURVEY ON AIRPORT DEZONING

Print Name Badge No. Plate No.	YES	NO	SIGNITURE
S. BENNETT 1258 132		✓	SB <del>SB</del>
PAUL GORDON 123	✓		PG
A RAMSAY 98		✓	A Ramsay
C TAYLOR A 61	✓		C Taylor
D McWILLIAM A 27	✓		D McWilliam

SURVEY ON AIRPORT DEZONING

Print Name Badge No. Plate No.	YES	NO	SIGNITURE
BRUCE MELDREUM 488 A 113		✓	<i>Bruce Meldrum</i>
DEREK LAMSDEN 719 A 92		✓	<i>D Lamsden</i>
RON BUCHAN 534 A17.		✓	<i>R Buchan</i>
D. MCCARTHY A4		✓	<i>DMC</i>
JOHN FORBES A107		✓	<i>J</i>
GHUEN A37		✓	<i>G</i>
W WARKINS 108.		✓	<i>W Warkins</i>
BILLY MAIR 441 A.62		✓	<i>W. MAIR</i>
① MCKIM 138		✓	<i>DMK</i>
A. RIDGELL A-94		✓	<i>A94</i>

SURVEY ON AIRPORT DEZONING

Print Name Badge No. Plate No.	YES	NO	SIGNATURE
GRAHAM BERRIE 81 A. 83			
BILLY MUNRO 271 A. 71		✓	<i>Billy Munro</i>
JOHN BOOTH 083 A16		✓	<i>John Booth</i>
<del>EDDIE MURPHY 215 A. 52</del>			
DAVE AYKOR 852 A1A	✓		<i>Dave Aykor</i>
STAN ROBERTSON 211 A. 40		✓	<i>Stan Robertson</i>
PAUL GORDON 745 A123			
JAREN SALTER 111 A. 69		✓	<i>Jaren Salter</i>
MON CEF MESHINI 1306 A. 9		✓	<i>Mon Cef Meshini</i>
MIKE MILNE 060 A139		✓	<i>Mike Milne</i>

SURVEY ON AIRPORT DEZONING

Print Name Badge No. Plate No.	YES	NO	SIGNITURE
GEORGE ROBERTSON 096 A-31		✓	George Robertson
LORRAINE DAVIDSON 041 A19		✓	Lorraine Davidson
SIM STEPHEN 617 A 45	✓		S. Stephen
PHIL HEDGER 754 A-97	✓		P. Hedger
ANN PETRIE 698 A 36		✓	A Petrie
RICHARD EWING 717 A 18		✓	R. Ewing
ALLAN ROSS 523 A 25		✓	Allan Ross
ANDY MURKOV 269 A 34		✓	Andy Murkov
GRAEME KEITH 815 A 70		✓	G. Keith
CHARLES KEITH 320 A 72	✓		Chaz Keith

SURVEY ON AIRPORT DEZONING

Print Name Badge No. Plate No.	YES	NO	SIGNITURE
GEORGE MULLOY 210 A 103	✓		<i>G. Mulloy</i>
ROY WALKER 619 A 41		✓	<i>R Walker</i>
PAUL WOOD 716 A 63		✓	<i>Paul Wood</i>
SANDY MCKAY 830 A 149		✓	<i>Sandy McKay</i>
ALEX INGRAM <del>78</del> 169 A 78		✓	<i>Alex Ingram</i>
RON SMITH 1100 A 20		✓	<i>Ron Smith</i>
PHIL CRAIG 220 A 33		✓	<i>Phil Craig</i>
SIM MCKAY 1337 A 65		✓	<i>Sim McKay</i>
LEONE MCKAY 1366 A 1		✓	<i>Leone McKay</i>
KENNY PIRIE 1380 A 12		✓	<i>K Pirie</i>



SURVEY ON AIRPORT DEZONING

Print Name Badge No. Plate No.	YES	NO	SIGNITURE
SANDY STUART 919 A. 90		✓	<i>A. Stuart</i>
GABRIEL SMITH 709 A30		✓	<i>G. Smith</i>
STAN BEATTIE 624 A. 75	✓		<i>S. Beattie</i>
GEORGE DOWDLES 842 A 104		✓	<i>G. Dowdles</i>
GRAHAM ADAM 158 A130		✓	<i>G. Adam</i>
EDDIE McCAFFERTY 206 A 50		✓	<i>E. McCafferty</i>
ALAN WILSON 382 A. 32		✓	<i>Alan Wilson</i>
DIANNE WEBSTER 1211 A 110		✓	<i>D. Webster</i>
WILLIE FLETT 484 A119		✓	<i>WR Flett</i>
TONY WAQUHART 723 A 115		✓	<i>T. Waquhart</i>

SURVEY ON AIRPORT DEZONING

Print Name Badge No. Plate No.	YES	NO	SIGNITURE
John Patton 106		✓	John Patton
B. Bullen 99 243		✓	B. Bullen
N. Fleming 5		✓	N. Fleming
S. Ross 82.6 P 28		✓	S. Ross
E. McDonald 124		✓	E. McDonald
D. McDonald 127		✓	D. McDonald
EMMOTT 120		✓	EMMOTT
JACKMANIE 3		✓	JACKMANIE
WADE 7		✓	WADE
D. Murray 79	✓		D. Murray

SURVEY ON AIRPORT DEZONING

Print Name Badge No. Plate No.	YES	NO	SIGNITURE
R ROBERTSON 915		✓	<i>[Signature]</i>
S. BUCHANAN G 80	✓		<i>[Signature]</i>
A BENZON G 81		✓	<i>[Signature]</i>
B SIMMONS 112	✓	✓	<i>[Signature]</i>
J. WYDRESS G 91		✓	<i>[Signature]</i>
H. BRUCE G 118		✓	<i>[Signature]</i>
J SPENCER A 67	✓		<i>[Signature]</i>
C STEWART G 88		✓	<i>[Signature]</i>
B WATT 49		✓	<i>[Signature]</i>
W. JOHNSON		✓	<i>[Signature]</i>

John Reynolds  
Licensing Chairman  
Town House  
Union Street  
Aberdeen

Edward Leslie  
134 Newburgh Road  
BOD  
AB22 8QY  
Tel: 01224822017  
Mobile: 07960521666

Dear Sir,

As a member of the Airport working Group and to the majority of Airport Drivers it was with great concern that we heard of the decision to dezone the Airport has been postponed until December.

It would seem from a report in the "Evening Express" that your decision was based on a petition put together by Airport Drivers.

In the last 2 weeks there was a petition going around the airport, but only certain individuals were asked to complete this form.

The survey you asked me to complete showed that 78% of the 135 drivers at the airport were in favour of Dezoning and Yellow Plates.

This is causing concern among the drivers, that a minority with total disregard for what the majority of drivers wish, have an inside track and are canvassing behind the scenes.

I and the rest of the Airport Fleet would like to know how many Drivers completed this last survey and if it was presented before the cut off date of 30<sup>th</sup> September.

Could you please let me know these numbers and the reasons for postponing the decision so that I can pass this information onto the drivers.

As we have time before the next meeting may I suggest that the council send out a questionnaire to all the Airport Drivers asking what they would like to see happen at the Airport this would end any internal squabbling and give the council a true picture of what they wish

We look forward to your reply in the near future.

Yours Sincerely



Edward Leslie

Subj: **Airport zoning**  
Date: 12/11/2009 22:56:10 GMT Standard Time  
From: Sandyabz  
To: SCOTCHOICE

Hi John,

I am writing to you as a taxi driver with over 30 years working in Aberdeen over 20 at the airport. The airport requires a dedicated fleet to cover late & holiday flights Zoning should be retained for this reason. This fleet also covers the airport at peak and quiet times, at peak times our biggest problem is getting in and out of the airport and the city taxis have the same problem while we need their help at these times I feel the green light is our best way of working. But it has to be worked fairly ie remember we are the dedicated fleet and city taxis are there to help not to be given lifts when airport taxis are on their way on to the taxi-rank, remember the airport is our only source of income. I would like the committee to change the rules make it the same as oil week for a 6 month or 1 year trail. The 2 multi-national companies AOL(BAA) & COM-CABS appear to be only interested in making money off any taxi operating in and out of the airport. Green plates and roof signs need not be changed( thus saving the over spending council a little money) as these were hard fought for both at court and the council. I hope this can be relayed to your committee.

THANK YOU  
ALEX INGRAM  
PLATE A 78  
BADGE#69

12 November 2009 AOL: Sandyabz

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## ABERDEEN CITY COUNCIL

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COMMITTEE Licensing

DATE 2<sup>nd</sup> December 2009

DIRECTOR Gordon McIntosh

TITLE OF REPORT Review of Existing Taxi Ranks in City Centre

REPORT NUMBER: EPI/09/126

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### 1. PURPOSE OF REPORT

To inform members of the current physical condition of the existing taxi ranks within the City Centre area of Aberdeen, the works required to improve them, and of the details pertaining to carrying out a full taxi rank demand survey which would gather information relating to demand and usage of the existing taxi ranks.

### 2. RECOMMENDATION(S)

It is recommended that members agree to:

- a) Instruct officers to carry out improvements identified in Appendix A to existing taxi rank locations when funding becomes available.
- b) Instruct officers to carry out consultations with taxi representatives and the Taxi/Private Hire Car Consultation Group regarding locations, taxi rank usage and improvements to existing and proposed taxi ranks annually.
- c) Instruct officers to identify the detailed costs for a full taxi rank demand survey and undertake this in financial year 2010/2011 should funding become available.

### 3. FINANCIAL IMPLICATIONS

There are no financial implications this financial year as road marking improvements, highlighted in bold in Appendix A, would be funded from the existing 2009/10 road maintenance budget at an estimated cost of £500. The installation of dropped kerbs, highlighted in bold in Appendix A, would be funded from the existing 2009/10 cycling, walking and safer streets budget at an estimated cost of £5,000.

Discussions with taxi representatives would be carried out using existing resources and would have no detrimental effects on capital or revenue budgets within financial year 2009/10 or future years. However any works generated from these discussions could have financial implications on existing and future budgets.

No existing budget, within financial year 2009/10, has been identified to contribute to the undertaking of a full taxi rank demand survey. The estimated cost to carry out a taxi rank demand survey is approximately £25,000. The estimated cost has been calculated from the previous taxi rank demand survey completed in 2004, which cost £21,500, with an additional fifteen percent included for inflation and cost increases.

#### 4. SERVICE & COMMUNITY IMPACT

The contents of this report link to the Community Plan vision of creating a 'sustainable City with an integrated transport system that is accessible to all'.

Within the Single Outcome Agreement 2009 (SOA 09) 14 of the 15 national indicators are directly or indirectly linked to the Local and Regional Transport Strategies (LTS & RTS) both of which recognise the important contribution to the transport network that taxis and private hire cars can make.

The project will contribute to the delivery of the transport aims of Vibrant, Dynamic and Forward Looking by continuing to invest in proper maintenance of roads, pavements and street lights.

The LTS, which recognises that taxis provide a form of public transport 24 hours a day, anywhere in the City to everyone, has been subject to an Equalities & Human Rights Impact Assessment therefore no further assessment has been carried out.

#### 5. OTHER IMPLICATIONS

None

#### 6. REPORT

##### **Background**

On 2 September 2009 the Licensing Committee resolved that a report be provided on a proposed review of all taxi ranks in the City. The Licensing Committee Convenor expressed an interest that an annual review of taxi ranks be investigated and instigated.

This report has been circulated and discussed at the 16 November 2009 Taxi/Private Hire Car Consultation Group meeting. The group had no comments to make on the report.

##### **Existing Taxi Ranks Review**

A survey of all existing taxi ranks within the City Centre has recently been completed. The survey focused on the road markings, regulatory signing,



information signing and street lighting of the existing taxi ranks with the findings detailed in the table in Appendix A.

The survey revealed eight of the City Centre taxi ranks require road markings relined as the existing road markings are weathered and are not clearly visible, and footway dropped kerbs require to be installed to make them accessible for all on Justice Mill Lane, Little Chapel Street, Frederick Street, Exchequer Row, Union Row, Diamond Street, Hadden Street and Dee Street. It is proposed that for the first seven of these ranks road markings and footway dropped kerbs would not be relined or installed until the discussions with taxi representatives and the demand survey had been carried out to determine whether there is a requirement to reline these ranks or whether the ranks should be removed.

Dee Street taxi rank road markings and footway dropped kerbs will be installed this financial year to improve visibility of road markings and improve access for all at this well used taxi rank. It should be noted that Hadden Street taxi rank footway dropped kerbs will be installed during the Green Townscape Heritage Initiative Streetscape Works.

Regulatory signing for all City Centre taxi ranks was inspected and complies with the Traffic Signs Regulations and General Directions 2002 manual. It was noted that a number of the existing regulatory signage were showing initial signs of weathering and may require renewal in forthcoming years.

Pedestrian information signage directing pedestrians to taxi ranks has been installed throughout the City Centre.

Street lighting was inspected at all City Centre taxi ranks. A number of street lights, which covered the taxi ranks, were not operational on the evenings of the surveys and the information has been passed to Aberdeen City Council's Street Lighting Team to rectify. All taxi ranks within the City Centre are covered with street lights fitted with white lamps which can have a positive impact on people's perception of increased safety in the City Centre. As part of Aberdeen City Council's street lighting programme an additional two floodlights are being installed in the vicinity of the Chapel Street taxi rank this financial year.

Trinity Street and Exchange Street taxi ranks have not been included within the proposed improvements within this report as the 3<sup>rd</sup> June 2009 Licensing Committee approved the removal of the two ranks as a result of the Green Townscape Heritage Initiative Public Realm Streetscape Works.

### **Consultation with Taxi Representatives**

It is recommended that discussions with taxi representatives and the Taxi/Private Hire Car Consultation Group be carried out regarding locations, taxi rank usage and improvements to existing and proposed new taxi ranks annually. Results of the discussions will be reported back to a future Licensing Committee.

## Taxi Rank Demand Survey

A taxi rank demand survey was previously carried out in May / June 2004 with 725 hours of information collected. The objective of the study were primarily to determine whether or not there exists a significant unmet demand for Hackney Carriage services in Aberdeen; and to determine the number of licences required to meet any identified unmet demand in Aberdeen. The study was based around three data collection exercises:-

- A rank observation programme;
- A series of on street interviews; and
- A mobility impaired user survey.

The rank observation information provided the balance of supply and demand i.e. average delay, for customers and drivers, and total demand; the demand/delay profiles; and the effective supply of vehicles.

The series of on-street interviews provided destination information, customer satisfaction information, frequency of taxi / private hire vehicle usage, deterrents to increased taxi / private hire vehicle usage and desired improvements to rank facilities.

The mobility impaired user survey, which was sent to a total of 1,000 local disabled residents, provided a more general picture of how disabled people perceived their quality of taxi/private hire service to have been. The respondents were asked how satisfied they were with three aspects of their last trip, namely: wait delay time; ease of access to the taxi/private hire vehicle and driver assistance.

The cost for the full taxi demand review was £21,500 in 2004, therefore it is anticipated that the costs for the survey, with inflation and associated costs, would be approximately £25,000 in 2010/2011.

There are currently no financial budgets identified to carry out the taxi demand review.

### 7. REPORT AUTHOR DETAILS

Scott Ramsay, Technical Officer, Enterprise, Planning and Infrastructure  
sramsay@aberdeencity.gov.uk  
Telephone: 01224 523463

### 8. BACKGROUND PAPERS

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=2636&sID=1150>

[http://committees.aberdeencity.gov.uk/Data/Licensing%20Committee/20050110/Minutes/SubIndex\\$Minutes.pdf](http://committees.aberdeencity.gov.uk/Data/Licensing%20Committee/20050110/Minutes/SubIndex$Minutes.pdf)

## Appendix A

Location	Information Signage Required	Regulatory Signage Required	Lining Required	Dropped Kerb Required	White Lighting Installed	Recommendations / Information
Back Wynd	No	No	No	No	Yes	No work required.
Bridge Street (Part Time Rank)	No	No	No	Yes	Yes	Works will only be carried out after demand survey and discussions with taxi representatives completed.
Chapel Street	No	No	No	No	Yes	2 additional floodlights are to be installed this financial year.
<b>Dee Street</b>	No	No	<b>Yes</b>	<b>Yes</b>	Yes	Reline taxi rank road markings. Install dropped kerbs.
Diamond Street	No	No	Yes	Yes	Yes	Works will only be carried out after demand survey and discussions with taxi representatives completed.
*Exchange Street	No	No	No	No	Yes	Previously approved for removal by 3 <sup>rd</sup> June 2009 Licensing Committee.
Exchequer Row	No	No	Yes	Yes	Yes	Works will only be carried out after demand survey and discussions with taxi representatives completed.
Fredrick Street	No	No	Yes	Yes	Yes	Works will only be carried out after demand survey and discussions with taxi representatives completed.
** George Street	No	No	No	No	Yes	Temporary rank as St Andrew Street not in operation.
<b>Hadden Street</b>	No	No	No	<b>Yes</b>	Yes	Install dropped kerb as part of the Green improvements.
Justice Mill Lane	No	No	Yes	Yes	Yes	Works will only be carried out after demand survey and discussions with taxi representatives completed.
Little Chapel St	No	No	Yes	Yes	Yes	Works will only be carried out after demand survey and discussions with taxi representatives completed.
Rubislaw Place	No	No	No	Yes	Yes	Works will only be carried out after demand survey and discussions with taxi representatives completed.
**St Andrew Street	No	No	No	Yes	Yes	Rank temporarily not in operation.
*Trinity Street	No	No	No	No	No	Previously approved for removal by 3 <sup>rd</sup> June 2009 Licensing Committee.
Union Row	No	No	Yes	Yes	Yes	Works will only be carried out after demand survey and discussions with taxi representatives completed.
Union St Night Time Rank A	No	No	No	Yes	Yes	Works will only be carried out after demand survey and discussions with taxi representatives completed.
<b>Union St Night Time Rank B</b>	No	No	No	<b>Yes</b>	Yes	ACC Street lighting team has been informed of defective light at this location. Install dropped kerb.
<b>Union St Night Time Rank C</b>	No	No	No	<b>Yes</b>	Yes	ACC Street lighting team has been informed of defective light at this location. Install dropped kerb.

\* Rank to be removed as part of Green Townscape Heritage Initiative Streetscape Works.

\*\* Temporary Rank whilst building works underway on St Andrew Street.

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*Keeping our communities safe*

Our Ref: GED/G8991/3149/09  
Your Ref:

Date: 8 October 2009



Aberdeen Division  
Police Headquarters  
Queen Street  
Aberdeen  
AB10 1ZA

Tel: 01224 306472  
Fax: 01224 306485

ServiceCentre@grampian.pnn.police.uk  
www.grampian.police.uk

Clerk to the Licensing Committee  
Office of City Solicitor  
Corporate Governance  
Ground Floor  
Town House  
ABERDEEN  
AB10 1AQ

FOR THE ATTENTION OF BRENDA FLAHERTY

Dear Madam

### **FESTIVE GUIDELINES 2009 – Licensing Committee**

I refer to the above subject and seek the support of Aberdeen City Council Licensing Committee by implementation of previously used guidelines, for Late Hours Catering establishments within the City Centre.

The Chief Constable is committed to promoting well-being and safety in our communities and to enhance the quality of life of all those we serve.

Grampian Police continue to work with others to achieve delivery of these principles and whilst the Chief Constable recognises that holders of Late Hours Catering Licences may wish to seize the opportunity for enhanced trading periods, it has been evidenced in recent years that failure to disperse customers from within the designated City Centre area has led to increased numbers of alcohol fuelled incidents. Sadly, incidents of alcohol related violence and disorder have risen.


I am concerned that should Late Hours Catering licence holders receive extended trading periods, this will encourage greater volumes of alcohol fuelled individuals to remain within the City Centre. With this in mind, I seek the assistance of Aberdeen City Licensing Committee in restricting Late Hours Catering establishments to the terminal hour of 4am on both Christmas and New Year's Day.

2.

I believe the adoption of the foregoing recommendation will ensure that a vibrant, joyful, trouble free environment maintained, not only for the citizens of Aberdeen, but for those visitors wishing to participate in Aberdeen's Festive Season activities, and seek the assistance of the Aberdeen City Licensing Committee to work to promote this position.

Yours faithfully



 George MacDonald  
T/Chief Inspector  
For and on behalf of the Chief Constable