

LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 4 August 2016. Minute of Meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present:- Councillor Carle, Convener; and Councillors Boulton, Nicoll and Townson.

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=502&MIId=4316&Ver=4>

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

DETERMINATION OF URGENT BUSINESS

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

The Sub Committee resolved:

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

FILM CLASSIFICATIONS

2. The Sub Committee had before it the following request film classification for from Cineworld, Queens Link, Aberdeen:

- The Revolution of Juche – suggested rating 15

The Sub Committee resolved:

to approve the film classification certificate as detailed above.

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GRANT OF A STREET TRADER'S LICENCE - KANG SOO

3. Locations – (1) Hill Place – Southside – 140m east of Dyce Drive; (2) Hareness Road – Southside – 40m east of Hareness Circle, Western Spur; (3) Southern Road – Southside – 160m east of Crawpeel Road; (4) Craigshaw Drive – Southside – 160m west of Wellington Road; (6) Stoneywood Park North-West Side – 40m north of Stoneywood Park; (7) Tern Place Northside – 90m west of Denmore Road; and (8) Exploration Drive – Westside – 90m north of Exploration Drive – Eastern Spur
Operating Hours – Monday to Sunday, 7am to 7pm

With reference to article 14 of appendix A of the minute of the meeting of the Licensing Committee of 14 June 2016, the Sub Committee had before it an information note prepared by the Head of Legal and Democratic Services in respect of the above application.

The information note advised that the Licensing Committee on 14 June 2016 had agreed to defer consideration of the revised application to enable a food safety certificate to be received, after which time the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise refer it to the Licensing Urgent Business Sub Committee for consideration.

The note also advised that the application required to be determined by 14 August 2016 and to date the applicant had not provided a food safety certificate. In this regard, Section 39 of the Civic Government (Scotland) Act 1982 stated that the Committee must refuse the application unless there was produced to them a certificate by the food authority (for the purposes of section 5 of the Food Safety Act 1990) stating that the vehicle, kiosk or moveable stall complied with the requirements of any relevant regulations made under that Act.

The applicant was not present.

The Sub Committee heard from Mrs O'Hare, Legal Advisor, who advised that the applicant had intimated that he did not have a hot goods vehicle at this time.

The Sub Committee resolved:
to refuse the application.

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APPLICATION FOR A PUBLIC CHARITABLE COLLECTION

4. The Sub Committee had before it an information note by the Head of Legal and Democratic Services in respect of the application for a public charitable collection by Hannah Graham to be held on Sunday 28 August 2016 at the Aberdeen Beach.

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

The applicant was not in attendance.

The Sub Committee resolved:
to grant the application.

EXEMPT INFORMATION

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

APPLICATIONS FOR THE TEMPORARY GRANT AND GRANT OF A STREET TRADER'S LICENCE

5. The Sub Committee had before it a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 13 July 2016, and Sergeant Kenny McGeough was in attendance to speak in its support.

The applicant was present, accompanied by her father in law, and both spoke in support of the applications.

The Sub Committee asked questions of both Sergeant McGeough and the applicant.

The Sub Committee resolved:
to grant the application for a street trader's licence.
- **COUNCILLOR SCOTT CARLE, Convener**