

## LEGAL AND DEMOCRATIC SERVICES

### COMMITTEE DECISION SHEET

#### LICENSING COMMITTEE - TUESDAY, 13 JUNE 2017

Please let the Committee Officer know as soon as possible if you do not agree with any action proposed in this decision sheet. These are decisions of the Committee and there is an expectation that action will be taken. If for any reason it is apparent that you will not be able to act on these instructions in full or in part or that there will be a delay, please let the Committee Officer know as it may be necessary to advise the Committee or seek further instructions from the Committee.

	Item Title	Committee Decision	Services Required to take action	Officer to Action
1	<b><u>Suspension of Standing Order 37.2 (Length of Meetings)</u></b>	<b><u>The Committee resolved:</u></b> to agree to suspend Standing Order 37.2 (Length of Meetings).	N/A	
1	<b><u>Agenda Order</u></b>	<b><u>The Committee resolved:</u></b> The Convener advised of items on the agenda which had been withdrawn or granted under delegated powers.	N/A	
1.1	<b><u>Urgent Business</u></b>	<b><u>The Committee resolved:</u></b> There were no items of urgent business.	N/A	
2.1	<b><u>Exempt Business</u></b>	<b><u>The Committee resolved:</u></b> There were no items of exempt business on the agenda.	N/A	
3.1	<b><u>Declarations of Interest</u></b>	<b><u>The Committee resolved:</u></b> The following declarations of interest were intimated: (i) Councillor Imrie declared an interest in relation to items 6.7 to 6.10 (all applications for street trader licences), by virtue of her intention to apply for a	N/A	

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		<p>street trader licence in the near future, and withdrew from the meeting prior to consideration of this item;</p> <p>(ii) Councillor Delaney declared an interest in relation to item 6.25 (Application for the Renewal of a Private Hire Car Driver's Licence – Sheila Moffat) by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of this item;</p> <p>(iii) Councillor Henrickson declared an interest in relation to item 7.3 (Safety of Sports Grounds Act 1975 as amended – General Safety Certificate Pittodrie Certificate) by virtue of being a shareholder of Aberdeen Football Club, but did not feel it necessary to withdraw during consideration of the item;</p> <p>(iv) Councillors Allan and Graham declared an interest in relation to item 7.1 (Accessible Vehicle Policy Update) by virtue of being members of Unite and there being a deputation from Mr Campbell, Unite, neither Councillor felt it necessary to withdraw during consideration of the item;</p> <p>(v) Councillor Malik declared an interest in relation to items 6.13 (Application for the Grant of a Taxi Driver's Licence – Umar Farooq) and 8.9 (Application for the Renewal of a Taxi Driver's Licence) by virtue of knowing the applicants, and withdrew from the meeting prior to consideration of both</p>		

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		<p>of these items; and</p> <p>(vi) The Vice Convener and Councillor Townson declared an interest in relation to item 8.9 (Application for the Renewal of a Taxi Driver's Licence) by virtue of knowing the applicant through previous court proceedings, and both withdrew from the meeting prior to consideration of this item.</p>		
4.1	<b><u>Requests for Deputation - Request by Mr Campbell, Unite, in relation to item 7.1 (Accessible Vehicle Policy Update)</u></b>	<b><u>The Committee resolved:</u></b> to suspend Standing Order 13.1 and thereby to agree to hear the deputation from Mr Campbell in relation to item 7.1 (Accessible Vehicle Policy Update) prior to consideration of the report.	N/A	
5.1	<b><u>Minute of Previous Meeting of 18 April 2017</u></b>	<b><u>The Committee resolved:</u></b> to approve the minute as a correct record.	Committee Services	A Swanson
5.2	<b><u>Minutes of the Meetings of the Licensing Urgent Business Sub Committee of 13 and 27 April 2017</u></b>	<b><u>The Committee resolved:</u></b> to approve the minutes as correct records.	Committee Services	A Swanson
5.3	<b><u>Committee Business Statement</u></b>	<b><u>The Committee resolved:</u></b> (i) to delete items 2 (Review of Accessible Vehicles Policy) and 4 (Taxi Ranks), subject to the decisions taken later on the agenda; and (ii) to otherwise note the updates contained in the statement.	Committee Services	A Swanson
5.4	<b><u>Tracker Spreadsheet</u></b>	<b><u>The Committee resolved:</u></b> to note the information contained in the	Committee Services	A Swanson

	Item Title	Committee Decision	Services Required to take action	Officer to Action
		committee report tracker.		
6.1	<b><u>Grant of a Licence for a House in Multiple Occupation - 5 Kincorth Crescent, Aberdeen</u></b>	<b><u>The Committee resolved:</u></b> to note that the HMO licence had been granted under delegated powers.	Communities, Housing and Infrastructure	A Thain/D Yeats
6.2	<b><u>Grant of a Licence for a House in Multiple Occupation - 15 Elmfield Avenue, Aberdeen</u></b>	<b><u>The Committee resolved:</u></b> to note that the HMO licence had been granted under delegated powers.	Communities, Housing and Infrastructure	A Thain/D Yeats
6.3	<b><u>Grant of a Licence for a House in Multiple Occupation - 39 Great Northern Road, Aberdeen</u></b>	<b><u>The Committee resolved:</u></b> to note that the HMO licence had been granted under delegated powers.	Communities, Housing and Infrastructure	A Thain/D Yeats
6.4	<b><u>Grant of a Licence for a House in Multiple Occupation - 130 Great Northern Road, Aberdeen</u></b>	<b><u>The Committee resolved:</u></b> to note that the HMO licence had been granted under delegated powers.	Communities, Housing and Infrastructure	A Thain/D Yeats
6.5	<b><u>Grant of a Licence for a House in Multiple Occupation - 39 Garthdee Drive, Aberdeen</u></b>	<b><u>The Committee resolved:</u></b> to note that the HMO licence had been granted under delegated powers.	Communities, Housing and Infrastructure	A Thain/D Yeats
6.6	<b><u>Grant of a Licence for a House in Multiple Occupation - 77-79 Bon Accord Street, Aberdeen</u></b>	<b><u>The Committee resolved:</u></b> to note that the HMO licence had been granted under delegated powers.	Communities, Housing and Infrastructure	A Thain/D Yeats
6.7	<b><u>Application for the Grant of a Street Trader's Licence - Kevin Carr</u></b>	<b><u>The Committee resolved:</u></b> to note the application had been withdrawn.	Licensing	A Dunbar/L May
6.8	<b><u>Application for the Renewal of a Street Trader's Licence - Allan Moule</u></b>	<b><u>The Committee resolved:</u></b> to defer consideration of the application to	Licensing	A Dunbar/L May

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		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 a special meeting of the Committee for consideration.		
6.9	<b><u>Application for the Renewal of a Street Trader's Licence - Leon Grant</u></b>	<b><u>The Committee resolved:</u></b> to note that the application had been granted under delegated powers.	Licensing	A Dunbar/L May
6.10	<b><u>Application for the Renewal of a Street Trader's Licence - Nigel Carter</u></b>	<b><u>The Committee resolved:</u></b> to note that the application had been granted under delegated powers.	Licensing	A Dunbar/L May
6.11	<b><u>Application for the Grant of a Public Entertainment Licence - Northfield Community Centre</u></b>	<b><u>The Committee resolved:</u></b> (i) to grant the application with the conditions that the outstanding works be completed within three months and that during that three month period the applicant was required to complete and sign off a pro-forma document recording anytime the bolts were taken off the door inside the hall and the door was required to be opened before the public was allowed to enter; and (ii) to request Mr Kidd, Building Standards, to write to the Director of Communities, Housing and Infrastructure to advise of the outstanding works required at Northfield Community Centre and of the Committee's decision.	Licensing	A Dunbar/L May
6.12	<b><u>Application for the Grant of a Tattoo and Skin Piercing Licence - Dorota</u></b>	<b><u>The Committee resolved:</u></b> (i) to note the application had been	Licensing	A Dunbar/L May

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	<u>Gierszewska</u>	<p>withdrawn; and</p> <p>(ii) to note that the applicant would submit a new application and to agree that the application fee be waived for this.</p>		
6.13	<u>Application for the Grant of a Taxi Driver's Licence - Umar Farooq</u>	<p><b>The Committee resolved:</b></p> <p>(i) to defer consideration of the application to enable the applicant to undertake the street knowledge test, and to agree that should the applicant pass the required test, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration; and</p> <p>(ii) to agree that any outstanding licensing applications also be submitted to the special meeting of the Committee as determined by the Head of Legal and Democratic Services.</p>	Licensing	A Dunbar/L May
6.14	<u>Application for the Grant of a Taxi Driver's Licence - Jonathan Philip</u>	<p><b>The Committee resolved:</b></p> <p>to note that the application had been withdrawn.</p>	Licensing	A Dunbar/L May
6.15	<u>Application for the Renewal of a Taxi Driver's Licence - Gary Prentice</u>	<p><b>The Committee resolved:</b></p> <p>to note that the application had been withdrawn.</p>	Licensing	A Dunbar/L May
6.16	<u>Application for the Renewal of a Taxi Driver's Licence - Michael Pirie</u>	<p><b>The Committee resolved:</b></p> <p>to note that the application had been granted under delegated powers.</p>	Licensing	A Dunbar/L May

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6.17	<u>Application for the Grant of a Private Hire Car Driver's Licence - Brian Donald</u>	<b>The Committee resolved:</b> to refuse the application.	Licensing	A Dunbar/L May
6.18	<u>Application for the Grant of a Private Hire Car Driver's Licence - Charles Kamwa Kamgaing</u>	<b>The Committee resolved:</b> to refuse the application.	Licensing	A Dunbar/L May
6.19	<u>Application for the Grant of a Private Hire Car Driver's Licence - Ahmed Alsawy</u>	<b>The Committee resolved:</b> to defer consideration of the application to enable the applicant to undertake the street knowledge test, and to agree that should the applicant pass the required test, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration.	Licensing	A Dunbar/L May
6.20	<u>Application for the Grant of a Private Hire Car Driver's Licence - Hanni Bedawi</u>	<b>The Committee resolved:</b> to defer consideration of the application to enable the applicant to (1) undertake the street knowledge test; (2) provide proof of the right to work in the UK; and (3) provide his DVLA number, and to agree that should the applicant pass the required test and provide the aforementioned documentation, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration.	Licensing	A Dunbar/L May

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6.21	<b><u>Application for the Grant of a Private Hire Car Driver's Licence - Raymond Christie</u></b>	<b><u>The Committee resolved:</u></b> to defer consideration of the application to enable (1) the applicant to undertake the street knowledge test and (2) for the Head of Legal and Democratic Services to confirm whether the applicant met the DVLA Group 2 criteria, and to agree that should the applicant pass the required test and meet the DVLA Group 2 criteria, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration.	Licensing	A Dunbar/L May
6.22	<b><u>Application for the Renewal of a Private Hire Car Driver's Licence - Michael Kulagoowski</u></b>	<b><u>The Committee resolved:</u></b> to refuse the application.	Licensing	A Dunbar/L May
6.23	<b><u>Application for the Grant of a Private Hire Car Driver's Licence - Graham Lumsden</u></b>	<b><u>The Committee resolved:</u></b> to note that the application had been withdrawn.	Licensing	A Dunbar/L May
6.24	<b><u>Application for the Renewal of a Private Hire Car Driver's Licence - Michael McPake</u></b>	<b><u>The Committee resolved:</u></b> (i) to defer consideration of the application to enable the applicant to undertake the street knowledge test, and to agree that should the applicant pass the required test, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special	Licensing	A Dunbar/L May



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		<p>meeting of the Committee for consideration; and</p> <p>(ii) to instruct the Head of Legal and Democratic Services to look into reasonable adjustments to the knowledge test, including a practical test, for the applicant in light of the special circumstances; and</p> <p>(iii) to instruct the Head of Legal and Democratic Services to investigate reasonable adjustments for the street knowledge test for taxi and private car drivers where circumstances required and to report on this matter as part of the report to be submitted to the next meeting of the Committee on 12 September 2017, regarding the format of the knowledge test to ensure a consistent approach was applied.</p>		
6.25	<b><u>Application for the Renewal of a Private Hire Car Driver's Licence - Sheila Moffat</u></b>	<b><u>The Committee resolved:</u></b> to defer consideration of the application to enable the applicant to undertake the street knowledge test, and to agree that should the applicant pass the required test, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration	Licensing	A Dunbar/L May
6.26	<b><u>Application for the Grant of a Private Hire Car Driver's Licence - Graham Ramsay</u></b>	<b><u>The Committee resolved:</u></b> to refuse the application.	Licensing	A Dunbar/L May

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6.27	<u>Application for the Grant of a Temporary Private Hire Car Driver's Licence - Vasile-Giovani Toma</u>	<b>The Committee resolved:</b> to defer consideration of the application to enable the applicant to (1) undertake the street knowledge test; (2) provide proof of the right to work in the UK; and (3) provide his DVLA number, and to agree that should the applicant pass the required test and provide the aforementioned documentation, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration.	Licensing	A Dunbar/L May
6.28	<u>Application for the Renewal of a Private Hire Car Driver's Licence - Rafal Wiewiorka</u>	<b>The Committee resolved:</b> (i) to defer consideration of the application to a special meeting of the Committee or to a meeting of the Licensing Urgent Business Sub Committee subject to it being re-established later on today's agenda; and (ii) to request that officers from the Licensing Team advise the applicant of his options outwith the meeting.	Licensing	A Dunbar/L May
6.29	<u>Application for the Renewal of a Private Hire Car Driver's Licence - Susanne Stephen</u>	<b>The Committee resolved:</b> to note that the application had been withdrawn.	Licensing	A Dunbar/L May
6.30	<u>Application for the Renewal of a Taxi Operator's Licence - Central Taxis Aberdeen</u>	<b>The Committee resolved:</b> to note that the application had been granted under delegated powers.	Licensing	A Dunbar/L May
6.31	<u>Application for the Renewal of a Taxi</u>	<b>The Committee resolved:</b>	Licensing	A Dunbar/L May

	Item Title	Committee Decision	Services Required to take action	Officer to Action
	<u>Operator's Licence - Michael Pirie</u>	to note that the application had been granted under delegated powers.		
6.32	<u>Application for the Renewal of a Taxi Operator's Licence - Charles Farman</u>	<b><u>The Committee resolved:</u></b> to note that the application had been withdrawn.	Licensing	A Dunbar/L May
6.33	<u>Application for the Renewal of a Taxi Operator's Licence - Leslie Scott McRobbie</u>	<b><u>The Committee resolved:</u></b> to note that the application had been granted under delegated powers.	Licensing	A Dunbar/L May
6.34	<u>Application for the Renewal of a Taxi Operator's Licence - Alexander Fraser Massie</u>	<b><u>The Committee resolved:</u></b> to note that the application had been granted under delegated powers.	Licensing	A Dunbar/L May
6.35	<u>Application for the Renewal of a Taxi Operator's Licence - Scott Mitchell</u>	<b><u>The Committee resolved:</u></b> to note that the application had been withdrawn.	Licensing	A Dunbar/L May
6.36	<u>Application for the Renewal of a Private Hire Car Operator's Licence - Zoey Anne Paterson</u>	<b><u>The Committee resolved:</u></b> to defer consideration of the application to enable the inspection on the applicant's vehicle to be undertaken and to agree that should the vehicle pass the required test, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee, or a meeting of the Licensing Urgent Business Sub Committee, subject to it being re-established later on the agenda, for consideration.	Licensing	A Dunbar/L May
7.1	<u>Accessible Vehicle Policy Update</u>	<b><u>The Committee resolved:</u></b>	Licensing	A Dunbar/S Munro

	Item Title	Committee Decision	Services Required to take action	Officer to Action
		<ul style="list-style-type: none"> <li>(i) to note the report; and</li> <li>(ii) to instruct the Head of Legal and Democratic Services to submit a report to the Committee's meeting on 12 September 2017, outlining the process, including public and trade consultation, of revisiting the Council's current accessible vehicle policy, and that this report also detail the legal and financial implications of any change.</li> </ul>		
7.2	<b><u>Taxi Rank Review</u></b>	<p><b><u>The Committee resolved:</u></b></p> <ul style="list-style-type: none"> <li>(i) to note the updated information in relation to the taxi rank review; and</li> <li>(ii) to instruct the Head of Legal and Democratic Services to incorporate the review of taxi rank provision within the taxi demand survey to be carried out and reported to the Committee by June 2018.</li> </ul>	Licensing	A Dunbar/S Munro
7.3	<b><u>Safety of Sports Grounds Act 1975 as amended - General Safety Certificate Pittodrie Certificate</u></b>	<p><b><u>The Committee resolved:</u></b></p> <p>to approve the General Safety Certificate June 2017 to be issued to Aberdeen Football Club Plc.</p>	Licensing	A Dunbar/L May
7.4	<b><u>Appointment of Members to Sub-Committees and Working Groups</u></b>	<p><b><u>The Committee resolved:</u></b></p> <ul style="list-style-type: none"> <li>(i) to note the compositions for the sub committees and working groups detailed at section 3.2 of the report as approved by Council on 17 May 2017;</li> <li>(ii) to agree to re-establish and appoint members to the sub-committees and advisory group listed at section 3.1 of the report in accordance with the</li> </ul>	Licensing/Committee Services	A Dunbar/A Swanson

	Item Title	Committee Decision	Services Required to take action	Officer to Action
		(iii) agreed compositions; and to agree to re-establish and appoint members to the Taxi Consultation Group as detailed at section 3.6 of the report, pending the review of the remit, governance and membership of the Taxi Consultation Group being undertaken by the Head of Legal and Democratic Services as requested by the Committee and which will be reported to the Committee at its meeting 12 September 2017.		
8.1	<b><u>Application for Landlord Registration</u></b>	<b><u>The Committee resolved:</u></b> to defer consideration of the landlord registration to the next meeting of the Committee on 12 September 2017 to enable the applicant to take legal advice.	Communities, Housing and Infrastructure	A Thain
8.2	<b><u>Application for the Renewal of a Taxi Driver's Licence</u></b>	<b><u>The Committee resolved:</u></b> to defer consideration of the application to allow a medical report from OH Assist to be received and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration.	Licensing	A Dunbar/L May
8.3	<b><u>Application for the Renewal of a Taxi Driver's Licence</u></b>	<b><u>The Committee resolved:</u></b> to refuse the application.		A Dunbar/L May
8.4	<b><u>Application for the Renewal of a Taxi Driver's Licence</u></b>	<b><u>The Committee resolved:</u></b> to defer consideration of the application to	Licensing	A Dunbar/L May

	Item Title	Committee Decision	Services Required to take action	Officer to Action
		allow a further medical report to be received from OH Assist and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration.		
8.5	<b><u>Application for the Renewal of a Taxi Booking Offence Licence</u></b>	<b><u>The Committee resolved:</u></b> to defer consideration of the application to the next meeting of the Committee to enable the applicant to be present.		A Dunbar/L May
8.6	<b><u>Application for the Renewal of a Private Hire Car Driver's Licence</u></b>	<b><u>The Committee resolved:</u></b> to refuse the application.	Licensing	A Dunbar/L May
8.7	<b><u>Application for the Grant of a Taxi Driver's Licence</u></b>	<b><u>The Committee resolved:</u></b> to defer consideration of the application to enable the applicant to undertake the street knowledge test, and to agree that should the applicant pass the required test, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration should the applicant not pass the street knowledge test.	Licensing	A Dunbar/L May
8.8	<b><u>Application for the Grant of a Taxi Operator's Licence</u></b>	<b><u>The Committee resolved:</u></b> to grant the licence and to agree a dispensation for the applicant's vehicle from the Council's accessible vehicle policy for the period of the licence only.	Licensing	A Dunbar/L May
8.9	<b><u>Application for the Renewal of a Taxi</u></b>	<b><u>The Committee resolved:</u></b>	Licensing	A Dunbar/L May

	Item Title	Committee Decision	Services Required to take action	Officer to Action
	<u>Driver's Licence</u>	to refuse the application.		

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