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To: Councillor Reynolds, Convener; Councillor Boulton, Vice Convener; and Councillors Allan, Allard, Bell, Cameron, Delaney, Graham, Henrickson, Imrie, Avril MacKenzie, Catriona Mackenzie, Malik, McRae, Sellar, Sandy Stuart and Townson.

Town House,
ABERDEEN 5 June 2017

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in **Committee Room 2 - Town House** on **TUESDAY, 13 JUNE 2017 at 10.00 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

DETERMINATION OF URGENT BUSINESS

1.1 There are no items of urgent business at this time.

DETERMINATION OF EXEMPT BUSINESS

2.1 There are no items of exempt business on the agenda.

DECLARATIONS OF INTEREST

3.1 Members are requested to intimate any declarations of interest.

REQUESTS FOR DEPUTATION

4.1 There are no requests for deputation at this time.

MINUTES, COMMITTEE BUSINESS STATEMENT AND COMMITTEE TRACKER

- 5.1 Minute of Previous Meeting of 18 April 2017 (Pages 7 - 30)
- 5.2 Minutes of the Meetings of the Licensing Urgent Business Sub Committee of 13 and 27 April 2017 (Pages 31 - 36)
- 5.3 Committee Business Statement (Pages 37 - 42)
- 5.4 Committee Tracker (Pages 43 - 44)

APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

- 6.1 Grant of a Licence for a House in Multiple Occupation - 5 Kincorth Crescent, Aberdeen (Pages 49 - 52)
- 6.2 Grant of a Licence for a House in Multiple Occupation - 15 Elmfield Avenue, Aberdeen (Pages 53 - 56)
- 6.3 Grant of a Licence for a House in Multiple Occupation - 39 Great Northern Road, Aberdeen (Pages 57 - 60)
- 6.4 Grant of a Licence for a House in Multiple Occupation - 130 Great Northern Road, Aberdeen (Pages 61 - 64)
- 6.5 Grant of a Licence for a House in Multiple Occupation - 39 Garthdee Drive, Aberdeen (Pages 65 - 68)
- 6.6 Grant of a Licence for a House in Multiple Occupation - 77-79 Bon Accord Street, Aberdeen (Pages 69 - 72)
- 6.7 Application for the Grant of a Street Trader's Licence - Kevin Carr (Pages 73 - 74)
- 6.8 Application for the Renewal of a Street Trader's Licence - Allan Moule (Pages 75 - 76)
- 6.9 Application for the Renewal of a Street Trader's Licence - Leon Grant (Pages 77 - 78)
- 6.10 Application for the Renewal of a Street Trader's Licence - Nigel Carter (Pages 79 - 80)

- 6.11 Application for the Grant of a Public Entertainment Licence - Northfield Community Centre (Pages 81 - 82)
- 6.12 Application for the Grant of a Tattoo and Skin Piercing Licence - Dorota Gierszewska (Pages 83 - 84)
- 6.13 Application for the Grant of a Taxi Driver's Licence - Umar Farooq (Pages 85 - 86)
- 6.14 Application for the Grant of a Taxi Driver's Licence - Jonathan Philip (Pages 87 - 88)
- 6.15 Application for the Renewal of a Taxi Driver's Licence - Gary Prentice (Pages 89 - 90)
- 6.16 Application for the Renewal of a Taxi Driver's Licence - Michael Pirie (Pages 91 - 92)
- 6.17 Application for the Grant of a Private Hire Car Driver's Licence - Brian Donald (Pages 93 - 94)
- 6.18 Application for the Grant of a Private Hire Car Driver's Licence - Charles Kamwa Kamgaing (Pages 95 - 96)
- 6.19 Application for the Grant of a Private Hire Car Driver's Licence - Ahmed Alsawy (Pages 97 - 98)
- 6.20 Application for the Grant of a Private Hire Car Driver's Licence - Hanni Bedawi (Pages 99 - 100)
- 6.21 Application for the Grant of a Private Hire Car Driver's Licence - Raymond Christie (Pages 101 - 102)
- 6.22 Application for the Renewal of a Private Hire Car Driver's Licence - Michael Kulagoowski (Pages 103 - 104)
- 6.23 Application for the Grant of a Private Hire Car Driver's Licence - Graham Lumsden (Pages 105 - 106)
- 6.24 Application for the Renewal of a Private Hire Car Driver's Licence - Michael McPake (Pages 107 - 108)
- 6.25 Application for the Renewal of a Private Hire Car Driver's Licence - Sheila Moffat (Pages 109 - 110)

- 6.26 Application for the Grant of a Private Hire Car Driver's Licence - Graham Ramsay (Pages 111 - 112)
- 6.27 Application for the Grant of a Temporary Private Hire Car Driver's Licence - Vasile-Giovani Toma (Pages 113 - 114)
- 6.28 Application for the Renewal of a Private Hire Car Driver's Licence - Rafal Wiewiorka (Pages 115 - 116)
- 6.29 Application for the Renewal of a Private Hire Car Driver's Licence - Susanne Stephen (Pages 117 - 118)
- 6.30 Application for the Renewal of a Taxi Operator's Licence - Central Taxis Aberdeen (Pages 119 - 120)
- 6.31 Application for the Renewal of a Taxi Operator's Licence - Michael Pirie (Pages 121 - 122)
- 6.32 Application for the Renewal of a Taxi Operator's Licence - Charles Farman (Pages 123 - 124)
- 6.33 Application for the Renewal of a Taxi Operator's Licence - Leslie Scott McRobbie (Pages 125 - 126)
- 6.34 Application for the Renewal of a Taxi Operator's Licence - Alexander Fraser Massie (Pages 127 - 128)
- 6.35 Application for the Renewal of a Taxi Operator's Licence - Scott Mitchell (Pages 129 - 130)
- 6.36 Application for the Renewal of a Private Hire Car Operator's Licence - Zoey Anne Paterson (Pages 131 - 132)

COMMITTEE REPORTS

- 7.1 Accessible Vehicle Policy Update (Pages 133 - 138)
- 7.2 Taxi Rank Review (Pages 139 - 142)
- 7.3 Safety of Sports Grounds Act 1975 as amended - General Safety Certificate Pittodrie Certificate (Pages 143 - 186)

- 7.4 Appointment of Members to Sub-Committees and Working Groups (Pages 187 - 190)

CONFIDENTIAL INFORMATION - APPLICATIONS TO BE HEARD IN PRIVATE

Applications to be heard in private and treated as confidential information in terms of Section 50(A)(3)(b) of the Local Government (Scotland) Act 1973.

- 8.1 Application for Landlord Registration (Pages 193 - 204)
- 8.2 Application for the Renewal of a Taxi Driver's Licence (Pages 205 - 206)
- 8.3 Application for the Renewal of a Taxi Driver's Licence (Pages 207 - 208)
- 8.4 Application for the Renewal of a Taxi Driver's Licence (Pages 209 - 210)
- 8.5 Application for the Renewal of a Taxi Booking Offence Licence (Pages 211 - 214)
- 8.6 Application for the Renewal of a Private Hire Car Driver's Licence (Pages 215 - 216)
- 8.7 Application for the Grant of a Taxi Driver's Licence (Pages 217 - 220)
- 8.8 Application for the Grant of a Taxi Operator's Licence (Pages 221 - 224)
- 8.9 Application for the Renewal of a Taxi Driver's Licence (Pages 225 - 228)

EHRIA's related to reports on this agenda can be viewed at
[Equality and Human Rights Impact Assessments](#)

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LICENSING COMMITTEE

ABERDEEN, 18 April 2017. Minute of Meeting of the LICENSING COMMITTEE.
Present:- Councillor Boulton, Convener; and Councillors Allan, Crockett, Lesley Dunbar, Graham, Hutchison, MacGregor, Malone, Nicoll, Reynolds, Samarai and Townson.

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MId=4348&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.

VALEDICTORY

1. The Convener highlighted that this was the last Licensing Committee meeting of the term and thanked officers for their support and advice to Committee. She also thanked Police Scotland for its participation in the work of the Committee.

The Committee resolved:

to concur with the remarks of the Convener.

REQUESTS FOR DEPUTATIONS

2. The Committee had before it a number of requests for deputation as follows:
1. Request by Mr Russell McLeod in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers);
 2. Request by Mr Russell McLeod in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers);
 3. Request by Mr Russell McLeod in relation to item 5.4 (Membership of the Taxi Consultation Group)
 4. Request by Mr McColl, Aberdeen Taxi Centre, in relation to item 3.2 (Request for Exemption from Vehicle Type and Branding Policy)
 5. Request by Mr McColl, Aberdeen Taxi Centre, in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers)
 6. Request by Mr McColl, Aberdeen Taxi Centre, in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers)
 7. Request by Mr McColl, Aberdeen Taxi Centre, in relation to item 5.4 (Membership of the Taxi Consultation Group)

The Committee noted that requests 4 to 7 had been received beyond the deadline required by Standing Orders and therefore the Committee would need to suspend Standing Order 10(1) should it wish to hear these deputations. In addition, the Committee noted that request 4 above did not relate to a substantive report on the agenda as required by Standing Orders and therefore the Committee would need to suspend Standing Order 10(1) should it wish to hear this deputation.

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The Committee resolved:-

- (i) to agree to hear the deputation from Mr McLeod in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers) prior to consideration of the report;
- (ii) to agree to hear the deputation from Mr McLeod in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers) prior to consideration of the report;
- (iii) to agree to hear the deputation from Mr McLeod in relation to item 5.4 (Membership of the Taxi Consultation Group) prior to consideration of the report;
- (iv) to decline to hear the deputation from Mr McColl in relation to item 3.2 (Request for Exemption from Vehicle Type and Branding Policy);
- (v) to suspend Standing Order 10(1) and thereby to agree to hear the deputation from Mr McColl in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers) prior to consideration of the report;
- (vi) to suspend Standing Order 10(1) and thereby to agree to hear the deputation from Mr McColl in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers) prior to consideration of the report; and
- (vii) to suspend Standing Order 10(1) and thereby to agree to hear the deputation from Mr McColl in relation to item 5.4 (Membership of the Taxi Consultation Group) prior to consideration of the report.

MINUTE OF PREVIOUS MEETING OF 7 FEBRUARY 2017

3. The Committee had before it the minute of its meeting of 7 February 2017.

The Committee resolved:

to approve the minute as a correct record.

MINUTE OF THE MEETING OF THE LICENSING URGENT BUSINESS SUB COMMITTEE OF 22 MARCH 2017

4. The Committee had before it the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017.

The Committee resolved:

to approve the minute as a correct record.

MINUTE OF THE MEETING OF THE LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE OF 8 AND 20 FEBRUARY AND 23 MARCH 2017

5. The Committee had before it the minutes of the meetings of the Licensing Evidential Hearings Sub Committee of 8 and 20 February and 23 March 2017.

The Committee resolved:

to approve the minutes as correct records.

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MINUTE OF MEETING OF THE TAXI CONSULTATION GROUP OF 28 FEBRUARY 2017

6. The Committee had before it the minute of the meeting of the Taxi Consultation Group of 28 February 2017.

The Committee resolved:

- (i) in relation to article 7 (Airport Taxis and Weekend Working), to note resolution (i) and the recommendation from the Taxi Consultation Group and to agree that the current condition enabling airport zoned taxis to operate in the city zone between midnight and 5am on Saturday nights/Sunday mornings be considered as part of the taxi demand survey; and
- (ii) to otherwise note the minute.

COMMITTEE BUSINESS STATEMENT

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

The Committee resolved:

- (i) to agree to delete items 1 (Survey on Unmet Taxi Demand – Collation of Data and Consultation with Trade), 2 (Training for Taxi Drivers), 3 (Private Hire Driver Training) and 8 (Knowledge Testing for Private Hire Drivers), subject to the decisions taken later on today's agenda; and
- (ii) In relation to item 5 (Review of Accessible Vehicles Policy), to note that officers were seeking further information on the response received from Dundee City Council and a report would be submitted to the Committee in due course; and
- (iii) to otherwise note the updates contained therein.

FILM CLASSIFICATION - CINEWORLD

8. The Committee had before it a request from Mr Steve Buchan, General Manager, Cineworld Cinemas to exhibit an unclassified locally produced short clip/advertisements produced by Northsound Radio on behalf of Stagecoach to promote the Stagecoach app.

The Committee resolved:

to approve the request.

REQUEST FOR EXEMPTION FROM VEHICLE TYPE AND BRANDING POLICY

9. The Committee had before it a request from Ms Wendy Devall, Economic Development, Aberdeen City Council, that the hydrogen Hyundai ix35, owned by the Council as part of the Aberdeen City Region Strategy, and which the Council wished to potentially lease to a taxi firm in Aberdeen as a private hire car, be exempt from the Committee's policies on vehicle type and branding.

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The Committee resolved:

to agree that it was willing, in principle, to consider licensing the vehicle.

APPLICATIONS FOR LICENCES

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

The Committee resolved:

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

REQUESTS FOR DEPUTATION

11. In accordance with article 2 of this minute, the Committee heard the deputations as follows:

(A) In terms of Standing Order 10(1), the Committee received a deputation from Mr McLeod in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers) wherein he asked that Committee agree to request the Taxi Consultation Group to explore how additional training could be incorporated within the knowledge test. He explained that they had previously been advised that the knowledge test could not be amended.

(B) In terms of Standing Order 10(1), the Committee received a deputation from Mr McLeod in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers) wherein he requested that the Committee agree to take no immediate changes to the current knowledge test undertaken by taxi and private hire drivers. He explained that in his view the test was a necessity for all taxi and private hire drivers.

(C) In terms of Standing Order 10(1), the Committee received a deputation from Mr McLeod in relation to item 5.4 (Membership of the Taxi Consultation Group) wherein he suggested that the entire membership of the Taxi Consultation Group required to be reviewed as the current membership did not represent Aberdeen's taxi trade. He advised that if there was a desire to increase the membership, then he was of the view that all licenced booking offices should be invited to attend.

Members asked questions of Mr McLeod.

(D) In terms of Standing Order 10(1), the Committee received a deputation from Mr McColl in relation to items 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers) and 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers) wherein he advised that he felt that both items could be considered together and highlighted that the response to the consultation on training for taxi and private hire drivers had been disappointed.

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He advised that he thought that for the majority of the trade that replied to the knowledge test questionnaire they found that the knowledge test questionnaire was more important than the extra training questionnaire. He went on to highlight that the overwhelming response from the trade (262 out of 322 indicated that the same test should apply to taxi and private hire drivers). In his view, the majority (81%) had made it clear that they felt it was best for the trade to have all drivers being fully knowledge tested. In terms of retesting, he highlighted that as a general rule nobody liked change and this was why he believed the majority of respondents did not want a retest. He agreed with this view and felt that a retest should only be needed if legislation required this.

Finally, he thought that the trade felt that the test was fit for purpose and that there was no need to change the current test, except with the addition of new streets as needed.

(E) In terms of Standing Order 10(1), the Committee received a deputation from Mr McColl in relation to item 5.4 (Membership of the Taxi Consultation Group) wherein he advised that if membership was opened up to Aberdeen Taxis then he felt all of the offices in Aberdeen should be allowed representation on the Consultation Group. He also felt that taxi operators in Aberdeen would have valid input to the Taxi Consultation Group meetings.

Members asked questions of Mr McColl.

RESPONSE TO CONSULTATION ON TRAINING FOR TAXI AND PRIVATE HIRE DRIVERS - CG/17/019

12. With reference to article 7 of the minute of the Licensing Committee of 1 September 2015, the Committee had before it a report by the Interim Director of Corporate Governance which provided analysis of the results of the consultation on training for taxi and private hire drivers.

The report recommended –
that the Committee –

- (a) note the results of the consultation exercise; and
- (b) decide whether or not to proceed with further consultation and if so, the nature and content of such further consultation.

The Committee resolved:

- (i) to note the results of the consultation exercise;
- (ii) to agree to refer the matter of training for taxi and private hire drivers to the Taxi Consultation Group for further discussion with the trade and that a report be submitted to the Licensing Committee thereafter for consideration; and
- (iii) to instruct the Head of Legal and Democratic Services to write to Scottish Enterprise to clarify whether any funding sources were available for taxi and private hire driver training.

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RESPONSE TO CONSULTATION ON KNOWLEDGE TEST FOR TAXI AND PRIVATE HIRE DRIVERS - CG/17/044

13. With reference to (1) article 8(D) of the minute of the meeting of the Licensing Committee of 19 January 2016; and 2 article 6 of the minute of the meeting of the Licensing Committee of 13 December 2016, the Committee had before it a report by the Interim Director of Corporate Governance which provided analysis of the results of the consultation on the knowledge test for taxi and private hire drivers.

The report recommended –
that the Committee –

- (a) note the results of the consultation exercise; and
- (b) instruct no change to the format of the knowledge test.

The Convener, seconded by Councillor Reynolds moved:-
that the Committee –

- (1) note the results of the consultation exercise;
- (2) instruct no change to the format of the knowledge test for taxi and private hire drivers; and
- (3) instruct the Head of Legal and Democratic Services to discuss the format of the knowledge test with the Taxi Consultation Group as part of the further discussion on training for taxi and private hire drivers.

Councillor Townson, seconded by Councillor Nicoll moved as an amendment:-
that the Committee –

- (1) note the results of the consultation exercise;
- (2) instruct no change to the format of the knowledge test for taxi drivers; and
- (3) instruct no change, at present, to the format of the knowledge test for private hire drivers and to instruct the Head of Legal and Democratic Services to research and design a streamlined knowledge test for private hire drivers in consultation with the trade and that this be reported to a future meeting of the Licensing Committee for consideration.

On a division, there voted:- for the motion (8) – the Convener; and Councillors Crockett, Graham, Hutchison, MacGregor, Malone, Reynolds and Samarai; for the amendment (2) – Councillors Nicoll and Townson.

The Committee resolved:
to adopt the motion.

TAXI DEMAND SURVEY AND PRIVATE HIRE CAR OVERPROVISION - CG/17/045

14. With reference to article 6 of the minute of the Licensing Committee of 27 January 2015, the Committee had before it a report by the Interim Director of Corporate Governance which provided information in relation to the taxi demand survey and the overprovision assessment for private hire cars.

The report recommended –
that the Committee -

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- (a) note that in terms of best practice a taxi demand survey should be carried out by November 2017;
- (b) instruct the Head of Legal and Democratic Services to conduct a taxi demand survey before June 2018 in conjunction with taxi fare review;
- (c) decide whether it wished to introduce an overprovision policy;
- (d) if the Committee decided to introduce an overprovision policy; to instruct the Head of Legal and Democratic Services to carry out an overprovision assessment at the same time as the taxi demand survey.

The Committee resolved:

- (i) to approve recommendation (a); and
- (ii) to instruct the Head of Legal and Democratic Services to report on the outcome of the taxi demand survey by June 2018 in conjunction with the taxi fare review.

MEMBERSHIP OF THE TAXI CONSULTATION GROUP - CG/17/043

15. The Committee had before it a report by the interim Director of Corporate Governance which sought consideration of a request by Aberdeen Taxis Ltd to join the Taxi Consultation Group (TCG).

The Committee resolved:-

to agree to review the remit, governance and membership of the Taxi Consultation Group following the Scottish Local Government Elections in May 2017.

CONFIDENTIAL INFORMATION

The press and public were excluded from the meeting for consideration of the following items which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.

APPLICATIONS FOR LICENCES

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

The Committee resolved:

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

- COUNCILLOR MARIE BOULTON, Convener.

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APPENDIX A

1. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Premises - 3 Roslin Terrace, Aberdeen
Application Reference Number – 4/1

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

The applicant's agent, Mr Chris Minchin, was in attendance.

One of the respondents Mr Peter Coutts was in attendance and spoke in support of his letter of representation. The second respondent, Mr David Green, was not in attendance, nor represented. The Committee asked questions of Mr Coutts.

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

The Committee resolved:

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

2. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Premises - 28A Bedford Avenue, Aberdeen
Application Reference Number – 4/2

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

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

The applicant, Mr James Morrison was present.

The late respondent, Mr Gordon Rhind, was present. Mr Rhind explained why his letter of representation was late and why it should be considered today. The applicant had no objection to the letter of representation being circulated.

Mr Thain further advised that the applicant had submitted a letter responding to the matters raised in the late representation and therefore the Committee would also require to consider whether to accept the submission from the applicant.

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The Committee resolved:-

that the letter of representation by Mr Rhind Wilson, and the letter of response from the applicant, Mr James Morrison, be introduced into the proceedings.

The Committee heard from Mr Rhind who spoke in support of his letter of representation. The Committee asked questions of Mr Rhind.

The Committee then heard from the applicant, Mr Morrison, in support of the application. The Committee asked questions of the applicant.

The Committee resolved:

to grant the HMO licence.

**3. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Premises - 10 Elmbank Road, Aberdeen (First floor flat)
Application Reference Number – 4/3**

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

The applicant, Mrs Margaret Stevenson, was in attendance.

Neither of the respondents, Ms Vicki Grant or Ms Angela Scott, were in attendance, nor represented.

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

The Committee resolved:

to grant the HMO licence.

DECLARATION OF INTEREST

During consideration of the following item, Councillor Hutchison declared an interest in the following article by virtue of having been in attendance at an Old Aberdeen Community Council meeting which was referred to in the submission of one of the respondents. He did not consider the nature of the interest required him to withdraw from the meeting during consideration of the application.

**4. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Premises - 11 Orchard Walk, Aberdeen
Application Reference Number – 4/4**

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

Mr Thain advised that one letter of representation had been received in respect of the application beyond the statutory time period within which such letters must be

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received (21-day period). He further advised that the Committee might consider late representations if it was satisfied that it was reasonable for the respondents to make the representation after the deadline.

The applicant, Mr Patrick Hart was present.

The late respondent, Mr Gail Fletcher-Graspy, was present. Mrs Fletcher-Graspy explained why her letter of representation was late and why it should be considered today. The applicant had no objection to the letter of representation being circulated.

The Committee resolved:-

that the letter of representation by Mrs Gail Fletcher-Graspy be introduced into the proceedings.

The Committee heard from four of the respondents who were present, namely: Mrs Sally Jasper, Mr Paul Foy, Mr Dewi Morgan and Mrs Gail Fletcher-Graspy, who all spoke in support of their letters of representation. One of the respondents, Mr Robert Fletcher-Graspy was not in attendance but was represented by Mrs Gail Fletcher-Graspy. One of the respondents, Ms Amanda Dappin, was not in attendance, nor represented. The Committee asked questions of the respondents in attendance.

The Committee then heard from the applicant, Mr Hart, in support of the application. The Committee asked questions of the applicant.

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person and that the property was unsuitable for occupation as an HMO due to the possibility of undue public nuisance.

**5. GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Premises - 67 Cornhill Gardens, Aberdeen
Application Reference Number – 4/5**

The Committee was advised that the HMO licence had been granted under delegated powers.

**6. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Premises - Woodend Staff Home, Eday Road, Aberdeen
Application Reference Number – 4/6**

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

The applicant was not in attendance.

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The Committee resolved:

to grant the HMO licence for a one year period.

7. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Premises - 166 Bannermill Place, Aberdeen
Application Reference Number – 4/7

The Committee was advised that the HMO licence had been granted under delegated powers.

8. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Premises - 1 Seaview Road, Aberdeen
Application Reference Number – 4/8

The Committee was advised that the HMO licence had been granted under delegated powers.

9. **APPLICATION FOR A PUBLIC CHARITABLE COLLECTION - LINDA LAMMENSAL - UNIVERSITY OF ABERDEEN DEVELOPMENT TRUST**
Location – Beach Esplanade
Application Reference Number – 4/9

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

The applicant was not in attendance.

The Committee resolved:

to grant the application.

10. **APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE - TREVOR MAIR**
Location – Dyce, Bridge of Don and Peterculter
Application Reference Number – 4/10

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

11. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - BEN MOURAN**
Application Reference Number – 4/11

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

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The applicant was not in attendance.

The Committee resolved:

to accept the application for the renewal of a taxi driver's licence and to instruct the Licensing Team Leader to process it accordingly.

12. APPLICATION FOR THE RENEWAL OF A TAXI LICENCE - STEPHEN MITCHELL

Application Reference Number – 4/12

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

The applicant was not in attendance.

The Committee resolved:

to refuse the application on the basis that the applicant's vehicle had not passed the required hackney test.

13. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE - KALEEM IMRAN

Application Reference Number – 4/13

The Committee was advised that the application had been withdrawn.

14. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - FARRUCKH NADEEM

Application Reference Number – 4/14

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

15. APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE - SHAHGULAM MUKHTAR

Application Reference Number – 4/15

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

The applicant was not in attendance.

The Committee resolved:

to refuse the application on the basis that the applicant had not provided a copy of his driving licence or a valid check code from the DVLA to allow checks to be carried out.

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16. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - ANGELA ROSENDALE
Application Reference Number – 4/16

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mrs Angela Rosendale, was in attendance, accompanied by her solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

17. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - PAUL ROSENDALE
Application Reference Number – 4/17

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Paul Rosendale, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

18. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - RAHMAN ALI
Application Reference Number – 4/18

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

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The applicant, Mr Rahman Ali, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

**19. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - CRISTIAN POPESCU
Application Reference Number – 4/19**

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Cristian Popescu, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

**20. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - MOHAMMAD SHAKIL MIAH
Application Reference Number – 4/20**

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Mohammad Shakil Miah, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

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21. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - JAFFARALI NALLA MOHAMED**
Application Reference Number – 4/21

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Jaffarali Nalla Mohamed, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

22. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - SURESH THAVAM**
Application Reference Number – 4/22

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Suresh Thavam, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

DECLARATIONS OF INTEREST

Prior to consideration of the following item, Councillor Hutchison declared an interest in the following article by virtue of knowing the applicant's solicitor, and considered that the nature of his interest required him to leave the meeting and took no part in the Committee's deliberation of the application.

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Councillors MacGregor and Samarai declared an interest in the following article by virtue of knowing the applicant's solicitor. Neither Councillor considered that the nature of their interest required them to withdraw from the meeting during consideration of the application.

23. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE – LIAM WALKER**
Application Reference Number – 4/23

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Liam Walker, was in attendance, accompanied by his solicitor Mr Donald. The Committee heard from Mr Donald in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

DECLARATIONS OF INTEREST

Prior to consideration of the following item, Councillor Hutchison declared an interest in the following article by virtue of knowing the applicant's solicitor, and considered that the nature of his interest required him to leave the meeting and took no part in the Committee's deliberation of the application.

Councillors MacGregor and Samarai declared an interest in the following article by virtue of knowing the applicant's solicitor. Neither Councillor considered that the nature of their interest required them to withdraw from the meeting during consideration of the application.

24. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE – STEVEN SMITH**
Application Reference Number – 4/24

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Steven Smith, was in attendance, accompanied by his solicitor Mr Donald. The Committee heard from Mr Donald in support of the application.

The Committee asked questions of the applicant.

LICENSING COMMITTEE

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The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

25. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE – DENNIS EWING
Application Reference Number – 4/25

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Dennis Ewing, was in attendance. The Committee heard from Mr Ewing in support of his application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

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APPENDIX B

1. **APPLICATION FOR THE RENEWAL OF A LANDLORD REGISTRATION**
Application Reference Number – 6/1

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 15 February 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

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

The Committee resolved:

to approve the application for a landlord registration.

2. **APPLICATION FOR THE GRANT OF A LANDLORD REGISTRATION**
Application Reference Number – 6/2

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 3 March 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

The applicant was not in attendance.

The Committee resolved:

to refuse the application for a landlord registration on the grounds that the applicant was not a fit and proper person.

3. **APPLICATION FOR THE GRANT OF A STREET TRADER'S LICENCE**
Application Reference Number – 6/3

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

Mr Munro, Legal Advisor, advised that Police Scotland wished to lodge a late letter of objection in respect of the application and highlighted that this was submitted beyond the statutory time period within which such letters must be received. He further advised that the Committee might consider late representations if it was satisfied there was a sufficient reason why it was not made in the time required.

The Committee heard from Sergeant Jardine, Police Scotland who explained why the letter of objection was late and should be considered today.

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The applicant was in attendance, accompanied by his sister and father, and confirmed he had received a copy of the letter and that he had no objection to the letter being entered into proceedings.

The Committee resolved:-

that the letter of objection from Police Scotland be introduced to the proceedings.

Sergeant Jardine, Police Scotland, spoke in support of the letter of objection dated 8 March 2017.

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

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person.

**4. APPLICATION FOR THE GRANT OF A WINDOW CLEANER'S LICENCE
Application Reference Number – 6/4**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 2 March 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

The applicant was not in attendance.

The Committee resolved:

to grant the application.

DECLARATION OF INTEREST

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

**5. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE
Application Reference Number – 6/5**

With reference to article 9 of appendix B of the minute of the meeting of the Licensing Committee of 7 February 2017, the Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 30 November 2016, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

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The applicant was not in attendance.

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person.

**6. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE
Application Reference Number – 6/6**

With reference to article 17 of appendix B of the minute of the meeting of the Licensing Committee of 7 February 2017, the Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 25 November 2016, and Sergeant Jardine was in attendance and advised that Police Scotland had withdrawn its letter of objection.

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

The Committee resolved:

to defer consideration of the application for the applicant to provide his driver's licence, upon receipt of which, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise refer it to a meeting of Licensing Urgent Business Sub Committee meeting.

**7. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE
Application Reference Number – 6/7**

With reference to article 18 of appendix B of the minute of the meeting of the Licensing Committee of 7 February 2017, the Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 29 November 2016, and Sergeant Jardine was in attendance and spoke in support of the letter of objection.

The applicant was not in attendance.

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person.

**8. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE
Application Reference Number – 6/8**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of

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18 April 2017

objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 3 April 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of objection.

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

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person.

DECLARATION OF INTEREST

During consideration of the following item, Councillor MacGregor declared an interest in the following article by virtue of having knowledge of a matter raised in the letter from Police Scotland in relation to the application. Councillor MacGregor withdrew from the meeting during consideration of the application and took no part in the Committee's deliberation of the application.

9. **APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE**
Application Reference Number – 6/9

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 3 April 2017, and Sergeant Jardine was in attendance.

Mr Munro, Legal Advisor, advised that Police Scotland wished to lodge a further letter of objection in respect of the application and highlighted that this was submitted beyond the statutory time period within which such letters must be received. He further advised that the Committee might consider late representations if it was satisfied there was a sufficient reason why it was not made in the time required.

The Committee heard from Sergeant Jardine, Police Scotland who explained why the further letter of objection was late and should be considered today.

The applicant was in attendance and confirmed he had received a copy of the letter and that he had no objection to the letter being entered into proceedings.

The Committee resolved:

that the further letter of objection from Police Scotland be introduced to the proceedings.

Sergeant Jardine, Police Scotland, spoke in support of the letters of objection dated 3 and 13 April 2017.

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

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18 April 2017

The Committee resolved:

to defer consideration of the application to a meeting of the Licensing Urgent Business Sub Committee to enable further information on the applicant's licence history to be provided.

**10. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE
Application Reference Number – 6/10**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 3 February 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of objection.

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

The Committee resolved:

to defer consideration of the application for the applicant to pass the required street knowledge test, after which time the Head of Legal and Democratic Services could grant the licence under delegated powers if the applicant had passed the street knowledge test, or otherwise refer it to a meeting of Licensing Urgent Business Sub Committee meeting.

**11. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE
Application Reference Number – 6/11**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 20 February 2017, and Sergeant Jardine was in attendance.

The applicant was not in attendance.

The Committee resolved:

to defer consideration of the application to the next meeting of the Committee on 13 June 2017 to provide the applicant with another opportunity to be present.

**12. APPLICATION FOR THE GRANT OF A TEMPORARY AND FULL TAXI DRIVER'S LICENCE
Application Reference Number – 6/12**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 8 March 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

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

The Committee resolved:

to grant both applications.

**13. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference Number – 6/13**

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

The applicant was not in attendance.

The Committee resolved:

to grant the application and to request that the applicant undertake a medical review annually.

**14. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference Number – 6/14**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 22 February 2017, and Sergeant Jardine was in attendance.

The applicant was not in attendance.

The Committee resolved:

to defer consideration of the application to the next meeting of the Committee on 13 June 2017 to provide the applicant with another opportunity to be present.

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LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 13 April 2017. Minute of meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present: Councillor Boulton, Convener; and Councillors Malone and Townson.

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=502&MId=5668&Ver=4>

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

DETERMINATION OF URGENT BUSINESS

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

The Sub Committee resolved:

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

APPLICATION FOR A CHARITABLE PUBLIC COLLECTION - VEGAN OUTREACH

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

The information note advised that Vegan Outreach had applied to hold a public charitable collection in the form of a bake sale on 15 April 2017. The application had been submitted on 30 March 2017, which was less than one month before the proposed collection, and therefore did not comply with the statutory 28 day notice period. In addition, there was another street collection planned on this date.

The applicant, Ms Rebecka Knowles, Vegan Outreach, was in attendance and spoke in support of the application, explaining why the application had been submitted outwith the statutory 28 day notice period.

The Sub Committee resolved:

to make an order to waive the statutory 28 day notice period and to grant the application.

- **COUNCILLOR MARIE BOULTON, Convener**

LICENSING URGENT BUSINESS SUB COMMITTEE

LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 27 April 2017. Minute of meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present: Councillor Boulton, Convener; and Councillors Malik, Malone, Nicoll and Townson.

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=502&MId=5683&Ver=4>

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

DETERMINATION OF URGENT BUSINESS

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

The Sub Committee resolved:

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

CONFIDENTIAL INFORMATION

The press and public were excluded from the meeting for consideration of the following items which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.

APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE

2. With reference to article 9 of appendix B of the minute of the meeting of the Licensing Committee of 18 April 2017, the Sub Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) letters of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 3 and 13 April 2017, and Sergeant Flett was in attendance.

The applicant was in attendance.

The Sub Committee heard from Mr Munro, Legal Advisor, who advised that the applicant had not been provided with 14 days' notice with regards to attending at today's meeting as the meeting had been arranged at the earliest opportunity at the applicant's request. He also advised that the applicant had explained that his legal representation was not available to attend today's meeting. On this basis, he asked the

LICENSING URGENT BUSINESS SUB COMMITTEE

13 April 2017

applicant whether he wished to proceed today, or to defer consideration of the application to the next meeting of the Licensing Committee.

At this juncture, the Committee had a short adjournment to enable the applicant to contact his legal representative.

Thereafter, the applicant confirmed that he wished his application to be considered today.

The Sub Committee heard from Sergeant Flett, Police Scotland, who spoke in support of the letters of objection dated 3 and 13 April 2017.

The Sub Committee then heard from the applicant in support of his application.

The Sub Committee resolved:

to grant the application and to agree that the applicant was not required to sit the street knowledge test as he had previously passed this.

- **COUNCILLOR MARIE BOULTON, Convener**

LICENSING URGENT BUSINESS SUB COMMITTEE

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LICENSING

COMMITTEE BUSINESS

13 JUNE 2017

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

Reports which are overdue are shaded.

	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
1.	Licensing Committee 08.03.16 (article 3 appendix A)	<u>Age Policy For Private Hire And Taxi Vehicles</u> The Committee resolved to request officers to review the age policy for private hire and taxi vehicles and submit a report on this matter to a future meeting of the Committee.	A report was on the agenda for the Licensing Committee meeting on 6 April at which time it was agreed to refer the report simpliciter to full Council. The report will be considered by full Council on 11 May 2016. Council on 11 May resolved, amongst other things, to instruct the Head of Legal and Democratic Services to review the policy on Age of Vehicles following the implementation of the accessible vehicle policy on 6 June 2018 and report back to the Licensing Committee with recommendations as appropriate twelve months after the accessible vehicle policy has been implemented.	Head of Legal and Democratic Services	June 2019

2.	Council 11.05.16	<p><u>Review of Accessible Vehicles Policy</u></p> <p>Council on 11 May resolved, amongst other things:</p> <p>(i) to instruct the Head of Legal and Democratic Services to write to the UK Transport Minister in order to seek further clarity on any proposed implementation date for the remaining provisions of part 12 of the Equality Act 2010; and</p> <p>(ii) to instruct the Head of Legal and Democratic Services to write to the Chief Executive of Dundee City Council seeking clarity in and around their mixed fleet policy and report back to the Licensing Committee with their response.</p>	<p>At its meeting on 25 October 2016, the Committee requested the Licensing Team Leader to follow up the letter to the Chief Executive of Dundee City Council seeking clarity in and around their mixed fleet policy and report to the next meeting of the Committee in this regard.</p> <p>At its meeting on 13 December 2016 the Committee noted that a letter would be issued imminently to the Chief Executive of Dundee City Council and that an update would be provided at its next meeting on 7 February 2017.</p> <p>At its meeting on 7 February 2017, the Committee noted that a response from the Chief Executive of Dundee City Council had been received and would be reported to its next meeting on 18 April 2017.</p> <p>At its meeting on 18 April, the Committee noted that officers were considering the response received and would submit a report will be submitted to the next meeting of the Committee on 13 June 2017 in this regard.</p> <p>A report is on the agenda.</p>	Head of Legal and Democratic Services	18.4.17
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3.	Licensing Committee 25.10.16 articles and 9	5 <u>Taxi Fare Review</u> The Committee resolved to: (i) request the Licensing Team Leader, as part of the current taxi fare review, to explore ways in which any future increase in airport access charges could be mitigated by the Council in a timely manner; (ii) instruct the Licensing Team Leader to undertake a review of the existing taxi fare formula, including surcharges, following the completion of the current taxi fare review; (iii) to instruct officers to meet with trade representatives to explore the restructure of tariff charges and report back to the Committee thereafter; (iv) to instruct the Head of Legal and Democratic Services to undertake a review of the taxi fare formula and report back to the Committee the findings; and (v) to note that discussions with Aberdeen International Airport regarding the recent increased fee for non airport taxis dropping passengers off at the airport concourse were ongoing and to request that the Committee be updated on these discussions as appropriate.	(i) At its meeting on 13 December, the Committee noted that officers were still to explore ways in which any future increase in airport access charges could be mitigated by the Council in a timely manner. Any future increase in airport charges could not be mitigated by the Council in a timely manner as any change to the taxi tariff would need to form part of the wider taxi fare review and therefore will be reported in conjunction with the review by June 2018. At its meeting on 18 April 2018 the Committee resolved to (ii) to instruct the Head of Legal and Democratic Services to report on the outcome of a taxi demand survey by June 2018 in conjunction with the taxi fare review.	Head of Legal and Democratic Services	June 2018
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4.	Licensing Committee 25.10.16 article 5	<p><u>Taxi Ranks</u></p> <p>The Committee resolved to instruct the Licensing Team Leader to undertake a full review of taxi rank provision and location within the city, in consultation with the Roads Infrastructure Manager and all appropriate parties, to identify where suitable additional taxi ranks could be provided if appropriate and to report back on the outcome of the review to a future meeting of the Committee for consideration of the findings.</p>	A report is on the agenda.	Head of Legal and Democratic Services	13.6.17
5.	Licensing Committee 28.04.17 article 12	<p><u>Response To Consultation On Training For Taxi And Private Hire Drivers</u></p> <p>The Committee resolved to</p> <ul style="list-style-type: none"> (i) to agree to refer the matter of training for taxi and private hire drivers to the Taxi Consultation Group for further discussion with the trade and that a report be submitted to the Licensing Committee thereafter for consideration; and (ii) to instruct the Head of Legal and Democratic Services to write to Scottish Enterprise to clarify whether any funding sources were available for taxi and private hire driver training. 		Head of Legal and Democratic Services	12.9.2017

6.	Licensing Committee 28.04.17 article 13	<p><u>Response To Consultation On Knowledge Test For Taxi And Private Hire Drivers</u></p> <p>The Committee resolved to instruct the Head of Legal and Democratic Services to discuss the format of the knowledge test with the Taxi Consultation Group as part of the further discussion on training for taxi and private hire drivers.</p>		Head of Legal and Democratic Services	12.9.2017
7.	Licensing Committee 28.04.17 article 14	<p><u>Taxi Demand Survey And Private Hire Car Overprovision</u></p> <p>The Committee resolved to instruct the Head of Legal and Democratic Services to report on the outcome of the taxi demand survey by June 2018 in conjunction with the taxi fare review.</p>		Head of Legal and Democratic Services	June 2018
8.	Licensing Committee 28.04.17 article 15	<p><u>Membership of the Taxi Consultation Group</u></p> <p>The Committee resolved to agree to review the remit, governance and membership of the Taxi Consultation Group following the Scottish Local Government Elections in May 2017.</p>		Head of Legal and Democratic Services	12.9.2017

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Agenda Item 5.4

CYCLE 4 - COMMITTEE STATISTICS				
The Tracker Shows the Reports Which are Expected to be Submitted to Future Committee Meetings				
Report Title	Committee date	Report author	Head of Service	Purpose of Report
Taxi Driver Training	12/09/2017	Sandy Munro	Fraser Bell	Advising of the outcome of the further discussion held with the TCG on the training for taxi and private hire drivers and the format of the knowledge test as requested by the Licensing Committee on 28/04/17.
Membership of the Taxi Consultaion Group	12/09/2017	Arlene Dunbar	Fraser Bell	Determination of the makeup of the Taxi Consultation group to ensure it remains adequately representative of the trade.
Review of Civic Application Fees	12/09/2017	Arlene Dunbar	Fraser Bell	Examination of the licensing fees to ensure that the authority is meeting its statutory duty to meet all costs of the licensing regime.
Street Trader Policies	12/0/92017	Lynn May	Fraser Bell	A review of street trader policies in light of recent case law.
Review of Taxi Surcharge for Credit and Debit Cards	12/09/2017	Lynn May	Fraser Bell	A review of the surcharge for payment by credit/debit card to bring it in line with the current legislative position.
First Aid Kit Contents - Taxis	12/09/2017	Sandy Munro	Fraser Bell	A review of the current requirements detailed in the taxi test manual following representation from the trade.

CYCLE 5 - COMMITTEE STATISTICS				
The Tracker Shows the Reports Which are Expected to be Submitted to Future Committee Meetings				
Report Title	Committee date	Report author	Head of Service	Purpose of Report

None at this time.

**LICENSING COMMITTEE
13 JUNE 2017
LIST OF APPLICATIONS**

	Application Type	Name of Applicant(s)	Premises, Vehicle or Area to which Application Refers	Objections or Representations Received From	Date by which Application to be Determine (If Applicable)	Pages
1.	HMO Application (New)	A & J Investments + Geraghty-Gibb Property Management	5 Kincorth Crescent, Aberdeen	C, H & I	28 June 2017	49 - 52
2.	HMO Application (New)	Niall M.Reid & Kirsty Fletcher + Aimee Main	15 Elmfield Avenue, Aberdeen	C, H & I	12 July 2017	53 - 56
3.	HMO Application (New)	Dorothy Crighton + AM-PM Leasing	39 Great Northern Road, Aberdeen	C, H & I	17 July 2017	57 - 60
4.	HMO Application (New)	LOJJ (Scotland) Limited	130 Great Northern Road, Aberdeen	C, H & I	2 August 2017	61 - 64
5.	HMO Application (New)	LOJJ (Scotland) Limited	39 Garthdee Drive, Aberdeen	C, H & I	2 August 2017	65 - 68
6.	HMO Application (New)	Aberdeen City Council + Ad Hoc Property Management Limited	77 – 79 Bon Accord Street, Aberdeen	C, H & I	29 August 2017	69 - 72
7.	Street Trader (Grant)	Kevin Carr	South Esplanade West North Side 225m West of Victoria Road	EH	31 August 2017	73 - 74
8.	Street Trader (Renewal)	Allan Moule	Whitemyres Avenue North Side 202m West of Whitemyres Place	EH	30 August 2017	75 - 76
9.	Street Trader (Renewal)	Leon Grant	Howemoss Drive East Side 20m North of Howemoss Place	Roads	20 August 2017	77 - 78

10.	Street Trader (Renewal)	Nigel Carter	Zones 1-8	EH	26 August 2017	79 - 80
11.	Public Entertainment (Grant)	Northfield Community Centre	Northfield Community Centre Byron Square Aberdeen AB16 7PB	BS	21 June 2017	81 - 82
12.	Tattoo and Skin Piercing (Grant)	Dorota Gierszewska	Papilot 86 Victoria Road Aberdeen AB11 9DT	LD	22 June 2017	83 - 84
13.	Taxi Driver (Grant)	Umar Farooq	N/A	LD	8 September 2017	85 - 86
14.	Taxi Driver (Grant)	Jonathan Philip	N/A	LD	8 June 2017	87 - 88
15.	Taxi Driver (Renewal)	Gary Prentice	N/A	LD	8 June 2017	89 - 90
16.	Taxi Driver (Renewal)	Michael Pirie	N/A	LD	22 June 2017	91 - 92
17.	Private Hire Car Driver (Grant)	Brian Donald	N/A	LD	25 June 2017	93 - 94
18.	Private Hire Car Driver (Grant)	Charles Kamwa Kamgaing	N/A	LD	12 July 2017	95 - 96
19.	Private Hire Car Driver (Grant)	Ahmed Alsawy	N/A	LD	22 August 2017	97 - 98
20.	Private Hire Car Driver (Grant)	Hanni Bedawi	N/A	LD	31 August 2017	99 - 100
21.	Private Hire Car Driver (Grant)	Raymond Christie	N/A	LD	27 August 2017	101 - 102

22.	Private Hire Car Driver (Renewal)	Michael Kulagowski	N/A	LD	27 August 2017	103 - 104
23.	Private Hire Car Driver (Grant)	Graham Lumsden	N/A	LD	9 July 2017	105 - 106
24.	Private Hire Car Driver (Renewal)	Michael McPake	N/A	LD	29 July 2017	107 - 108
25.	Private Hire Car Driver (Renewal)	Sheila Moffat	N/A	LD	2 August 2017	109 - 110
26.	Private Hire Car Driver (Grant)	Graham Ramsay	N/A	LD	27 June 2017	111 - 112
27.	Private Hire Car Driver (Temporary)	Vasile-Giovani Toma	N/A	LD	6 September 2017	113 - 114
28.	Private Hire Car Driver (Renewal)	Rafal Wiewiorka	N/A	LD	17 July 2017	115 - 116
29.	Private Hire Car Driver (Renewal)	Susanne Stephen	N/A	LD	26 August 2017	117 - 118
30.	Taxi Operator (Renewal)	Central Taxis Aberdeen	SF13 WZZ	LD	26 August 2017	119 - 120
31.	Taxi Operator (Renewal)	Michael Pirie	MP04 CAB	LD	22 June 2017	121 - 122
32.	Taxi Operator (Renewal)	Charles Farman	LR52 RKK	LD	30 July 2017	123 - 124
33.	Taxi Operator (Renewal)	Leslie Scott McRobbie	MK63 HKC	LD	27 August 2017	125 - 126
34.	Taxi Operator (Renewal)	Alexander Fraser Massie	SJ62 EYH	LD	27 August 2017	127 - 128

35.	Taxi Operator (Renewal)	Scott Mitchell	SL09 HWY	LD	28 June 2017	129 - 130
36.	Private Hire Car Operator (Renewal)	Zoey Anne Paterson	DV11 EFH	LD	25 July 2017	131 - 132

ABBREVIATIONS:

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

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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit
Communities, Housing & Infrastructure
Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	1 June 2017
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.5 Kincorth Crescent, Aberdeen

Applicant/s: A.&J.Investments

Agent: Geraghty Gibb Property Management

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 13 June 2017 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

The premises to which this HMO licence application relates is a ground-floor flat providing accommodation comprising 3 letting bedrooms, one public room, one kitchen & one bathroom. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 29 June 2016.

HMO upgrading works and certification:

The HMO Officer carried out a joint-inspection of the property with an Officer from the Scottish Fire & Rescue Service on 1 September 2016, then he wrote to the applicant's agent listing the following requirements to bring the property up to the current HMO standard:-

1. All portable heaters to be permanently removed from the property.
2. The electrical intakes and fuse box to be enclosed.
3. The flat to be redecorated throughout.
4. An IP44-rated light fitting to be installed in the bathroom.
5. Additional electrical sockets to be installed throughout the flat.
6. Battery-operated CO detectors to be installed in rooms where there is a gas appliance.
7. The flat entrance door to be fitted with a keyless lock.
8. Any locks on the letting bedroom doors must be of a keyless type.
9. Garden rubbish to be removed.
10. The Certificate of Compliance, Gas Safe Certificate, EICR certificate, PAT certificate & a copy of the Tenancy Agreement to be submitted to the HMO Unit.

At the date of this report, the above requirements have not been completed.

Scottish Fire & Rescue Service (SFRS):

SFRS have confirmed that they have no objection to the granting of the HMO licence.

Other considerations:

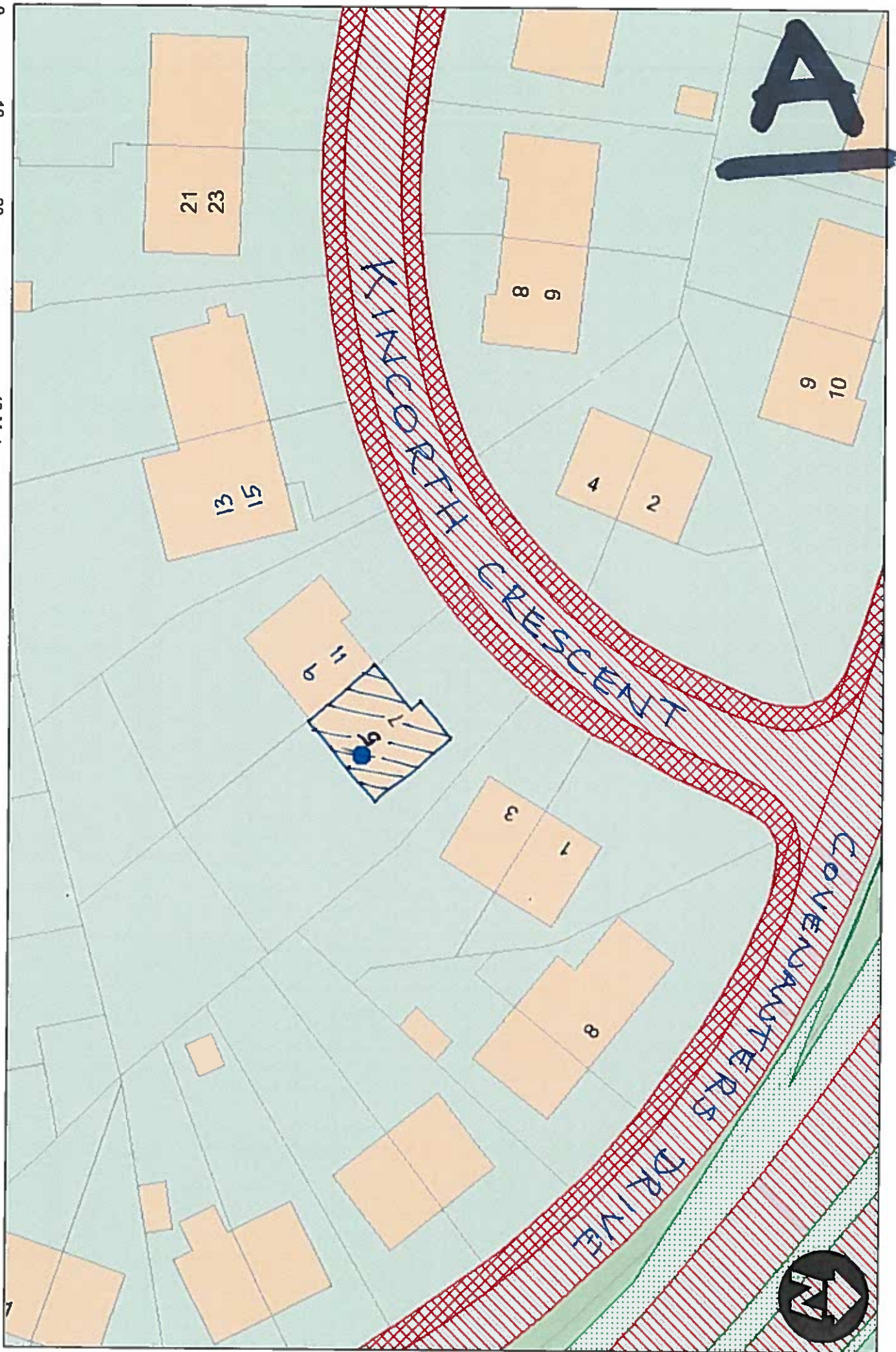
- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any corroborated complaints of anti-social behaviour at No.5 Kincorth Crescent, Aberdeen.
- The applicant is not registered with the Landlord Registration database. It will therefore be necessary for the landlord to register prior to letting the property.
- The applicant has requested an occupancy of 4 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a 'first-time' application.

- The meeting of the Licensing Committee on 13 June 2017, is the last meeting before the one-year deadline therefore if the above-mentioned HMO requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 13 June 2017. I will advise the Committee whether or not all requirements have been completed.

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

Ally Thain
Private Sector Housing Manager

11A





ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	1 June 2017
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.15 Elmfield Avenue, Aberdeen (Top floor flat)

Applicant/s: Niall M.Reid & Kirsty Fletcher

Agent: Aimee Main

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 13 June 2017 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

The premises to which this HMO licence application relates is a top-floor flat providing accommodation comprising 3 letting bedrooms, one public room, one kitchen & one bathroom. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 13 July 2016.

HMO upgrading works and certification:

The HMO Officer carried out a joint-initial inspection of the property with an Officer from Scottish Fire & Rescue Service on 26 July 2016, then he wrote to the applicant listing the following requirements to bring the property up to the current HMO standard:-

1. Additional electrical sockets to be installed throughout the flat.
2. Battery-operated CO detectors to be installed in every room that has a gas appliance.
3. All windows to be adjusted to ensure that they open and close properly.
4. The Notice of HMO Application to be redisplayed in a public place for a 21-day period.
5. The Certificate of Compliance, Gas Safe Certificate, EICR certificate, PAT certificate & a copy of the tenancy agreement to be submitted to the HMO Unit.

At the date of this report, the above requirements have not been completed.

Scottish Fire & Rescue Service (SFRS):

At the date of this report, SFRS have yet to confirm that they are satisfied with the fire safety arrangements within the property.

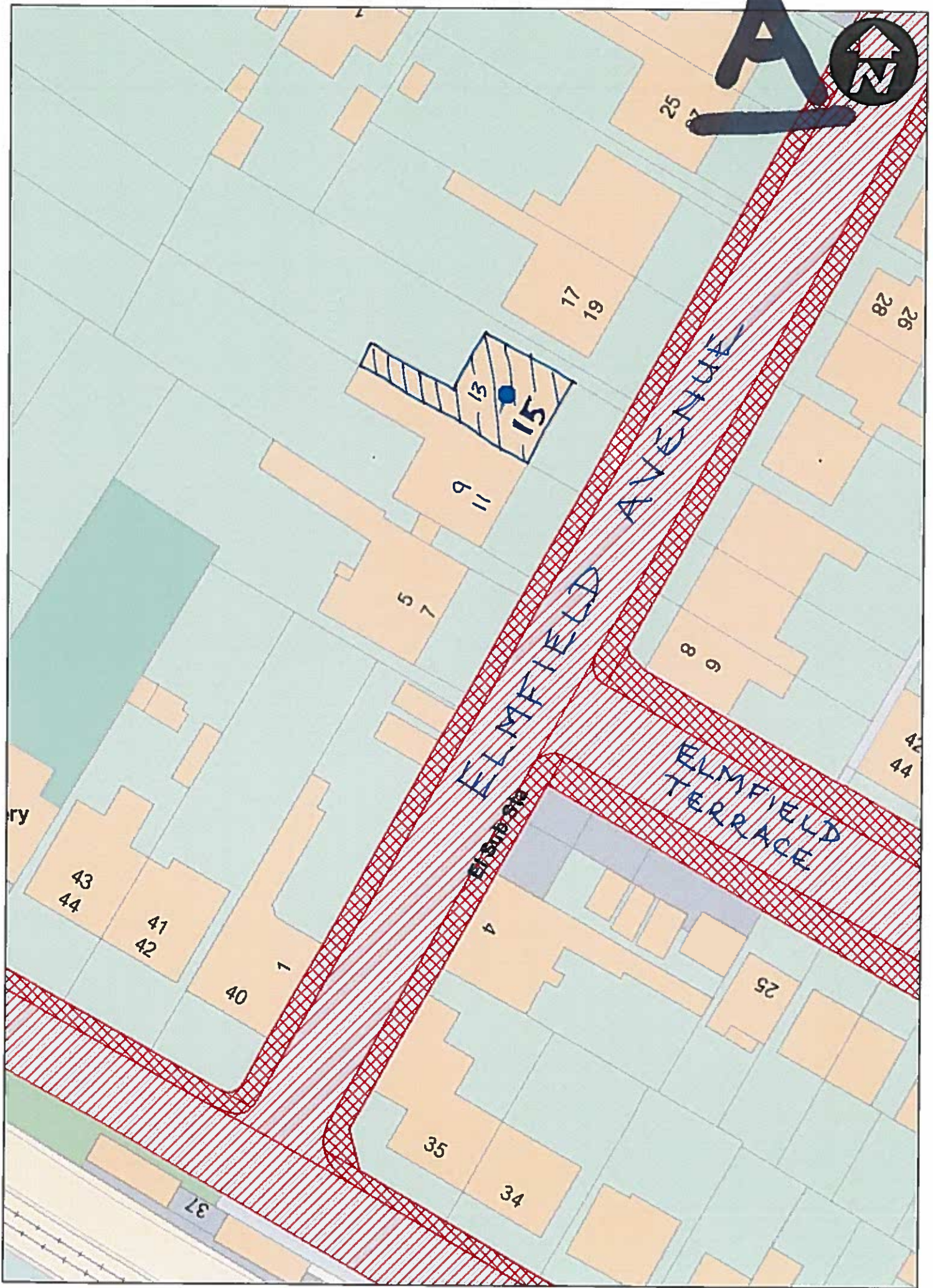
Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicants' suitability as 'fit & proper' persons, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any corroborated complaints of anti-social behaviour at No.15 Elmfield Avenue, Aberdeen (top floor flat).
- The applicants are currently registered with the Landlord Registration database, but they have not registered No.15 Elmfield Avenue, nor is their agent registered. It will therefore be necessary for the applicants to add the property to their registrations, and for their agent to register.
- The applicants have requested an occupancy of 3 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a 'first-time' application following the sale of the property. The previous owner held an HMO licence.

- The meeting of the Licensing Committee on 13 June 2017, is the last meeting before the one-year deadline therefore if the above-mentioned HMO & SFRS requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 13 June 2017. I will advise the Committee whether or not all requirements have been completed.

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

Ally Thain
Private Sector Housing Manager



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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	1 June 2017
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.39 Great Northern Road, Aberdeen

Applicant/s: Dorothy Crighton

Agent: AM-PM Leasing

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 13 June 2017 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

The premises to which this HMO licence application relates is a ground-floor flat providing accommodation comprising 3 letting bedrooms, one public room, one kitchen & one bathroom. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 18 July 2016.

HMO upgrading works and certification:

The HMO Officer carried out a joint-inspection of the property with an Officer from Scottish Fire & Rescue Service on 4 August 2016, then he wrote to the applicant listing the following requirements to bring the property up to the current HMO standard:-

1. An IP44-rated light fitting to be installed in the bathroom.
2. Additional electrical sockets to be installed throughout the flat.
3. Battery-operated CO detectors to be installed in rooms which have a gas appliance.
4. All self-closing doors must be adjusted to ensure that they fully close against their door-stops.
5. The flat entrance door to be fitted with a keyless lock.
6. Any locks on letting bedroom doors must be of a keyless type.
7. Areas of damp/mould growth to be treated with anti-fungicidal paint, then redecorated.
8. The Certificate of Compliance, Gas Safe Certificate, EICR certificate, PAT certificate & a copy of the tenancy agreement to be submitted to the HMO Unit.

At the date of this report, the above requirements have not been completed.

Scottish Fire & Rescue Service (SFRS):

At the date of this report, SFRS have yet to confirm that they are satisfied with the fire safety arrangements within the property.

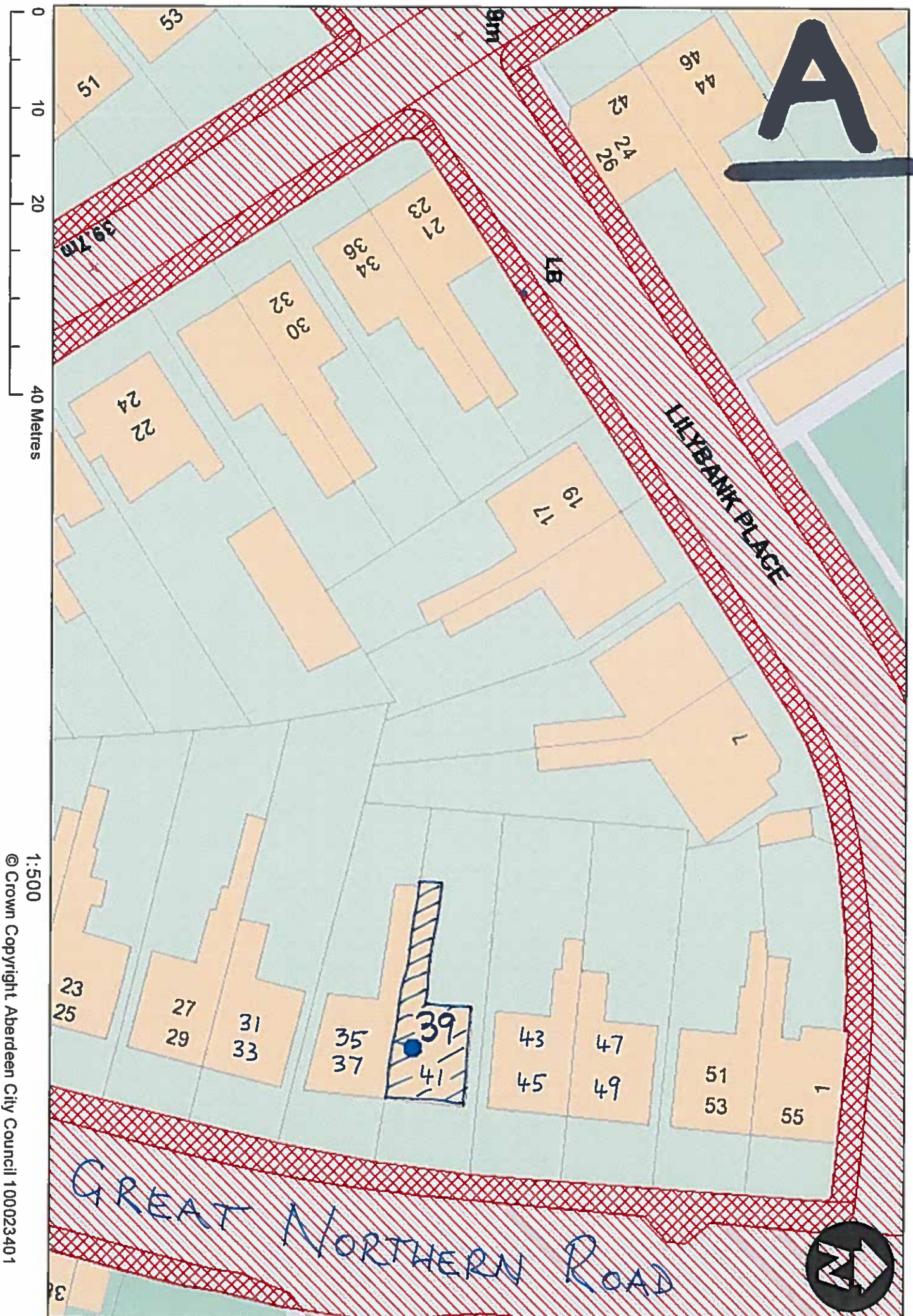
Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any corroborated complaints of anti-social behaviour at No.39 Great Northern Road, Aberdeen.
- The applicant is not currently registered with the Landlord Registration database. It will therefore be necessary for the applicant to register prior to letting the property.
- The applicant has requested an occupancy of 3 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a 'first-time' application.

- The meeting of the Licensing Committee on 13 June 2017, is the last meeting before the one-year deadline therefore if the above-mentioned HMO & SFRS requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 13 June 2017. I will advise the Committee whether or not all requirements have been completed.

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

Ally Thain
Private Sector Housing Manager



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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit
Communities, Housing & Infrastructure
Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services	
From	Ally Thain, Private Sector Housing Manager	
Email	allyt@aberdeencity.gov.uk	Date
Tel.	522870	Our Ref.
Fax.		Your Ref.

Part 5 of Housing (Scotland) Act 2006
Application for a Licence to operate a House in Multiple Occupation (HMO) at
No.130 Great Northern Road, Aberdeen
Applicant/s: LOJJ (Scotland) Limited
Agent: None stated

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 13 June 2017 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

The premises to which this HMO licence application relates is a two-storey & basement semi-detached house. Alterations are currently being carried out which, when complete, will provide accommodation comprising 5 letting bedrooms of which 3 have en-suite shower-rooms, one kitchen/dining-room & one communal bathroom. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 3 August 2016.

HMO upgrading works and certification:

The HMO Officer carried out an initial inspection of the property on 2 November 2016, then he wrote to the applicant listing the following requirements to bring the property up to the current HMO standard:-

1. The front and rear doors to be fitted with keyless locks.
2. Any letting bedroom doorlocks to be of a keyless type.
3. All self-closing doors must be adjusted to ensure that they fully close against their door-stops.
4. The Certificate of Compliance, PAT certificate & a copy of the tenancy agreement to be submitted to the HMO Unit.

In addition to the HMO Officer's requirements, the internal alterations are the subject of a Building Warrant therefore a Certificate of Completion is also required.

At the date of this report, the above requirements have not been completed.

Scottish Fire & Rescue Service (SFRS):

At the date of this report, SFRS have yet to confirm that they are satisfied with the fire safety arrangements within the property.

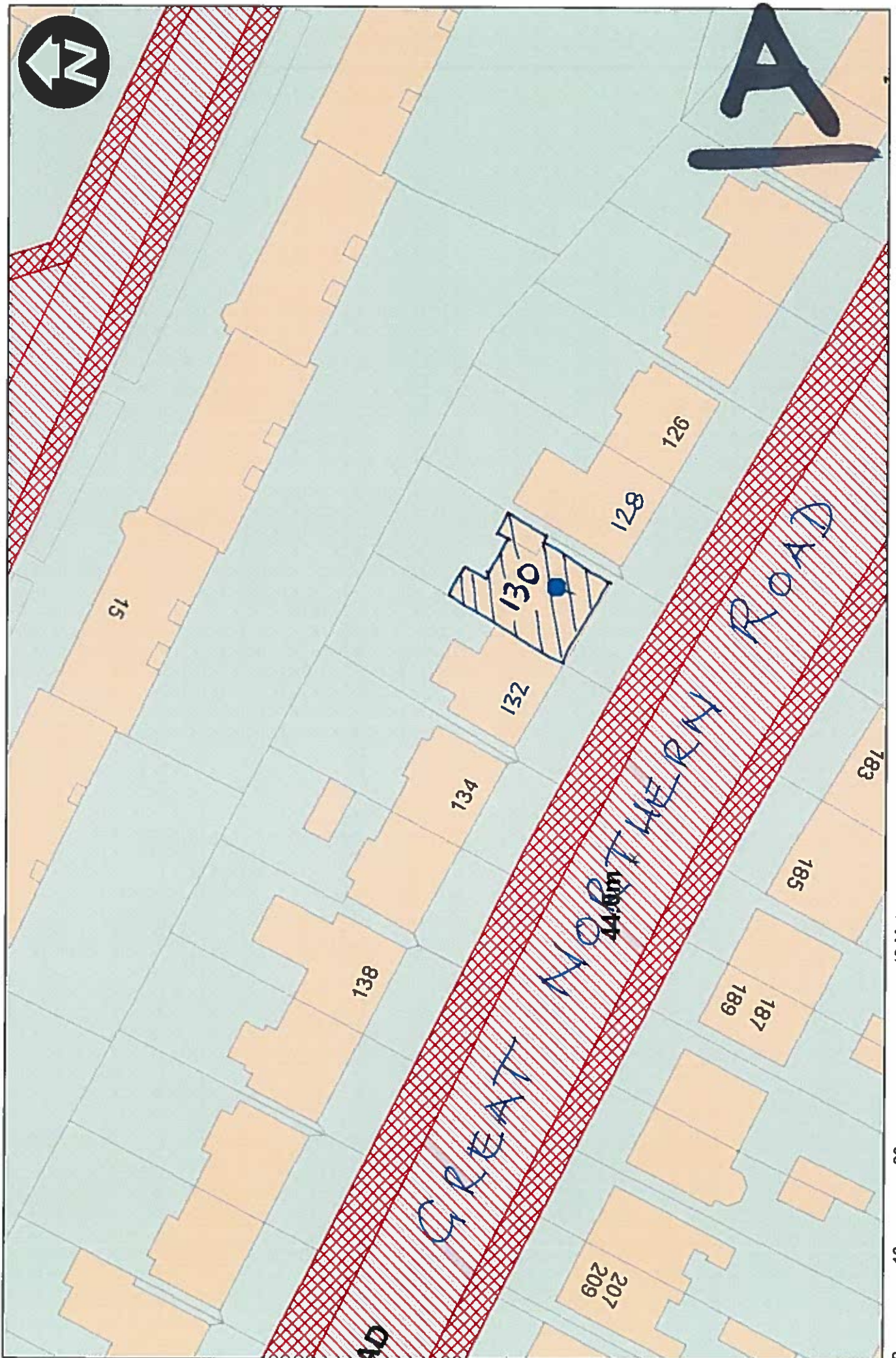
Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any corroborated complaints of anti-social behaviour at No.130 Great Northern Road, Aberdeen.
- The applicant and their rental property are currently registered with the Landlord Registration database.
- The applicant has requested an occupancy of 5 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a 'first-time' application.

- The meeting of the Licensing Committee on 13 June 2017, is the last meeting before the one-year deadline therefore if the above-mentioned HMO & SFRS requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 13 June 2017. I will advise the Committee whether or not all requirements have been completed.

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

Ally Thain
Private Sector Housing Manager



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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit
Communities, Housing & Infrastructure
Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allvt@aberdeencity.gov.uk	Date	1 June 2017
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.39 Garthdee Drive, Aberdeen

Applicant/s: LOJJ (Scotland) Limited

Agent: None stated

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 13 June 2017 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

The premises to which this HMO licence application relates is a two-storey semi-detached house. Internal alterations are currently being carried out and a gable-end extension is being built, which when complete will provide accommodation comprising 6 letting bedrooms, one kitchen/dining/living-room & 2 communal shower-rooms. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 3 August 2016.

HMO upgrading works and certification:

The HMO Officer carried out an initial inspection of the property on 2 November 2016, then he wrote to the applicant listing the following requirements to bring the property up to the current HMO standard:-

1. All self-closing doors must be adjusted to ensure that they fully close against their door-stops.
2. The Certificate of Compliance, PAT certificate & a copy of the tenancy agreement to be submitted to the HMO Unit.

In addition to the HMO Officer's requirements, the alterations are the subject of a Building Warrant therefore a Certificate of Completion is also required.

At the date of this report, the above requirements have not been completed.

Scottish Fire & Rescue Service (SFRS):

At the date of this report, SFRS have yet to confirm that they are satisfied with the fire safety arrangements within the property.

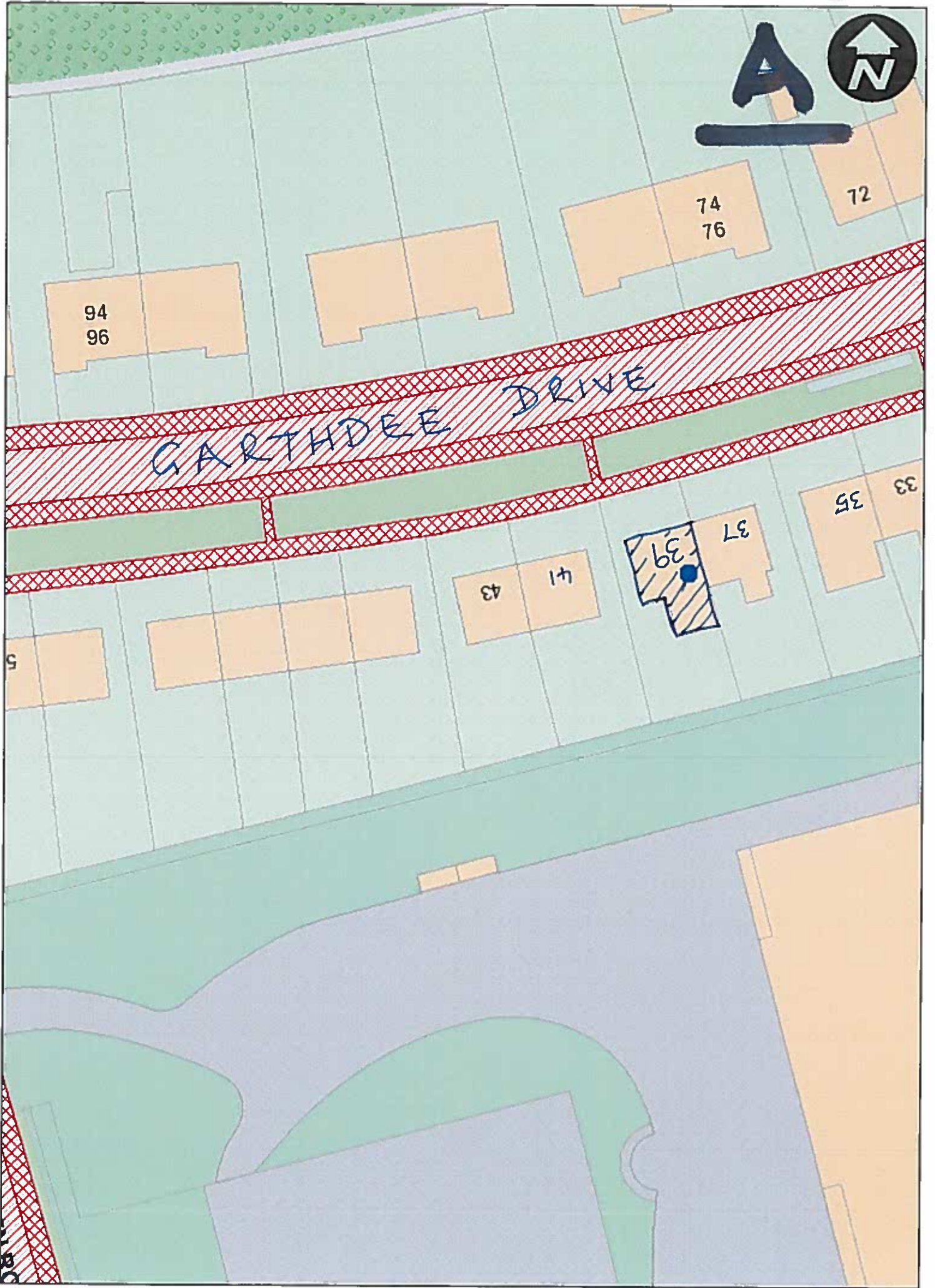
Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any corroborated complaints of anti-social behaviour at No.39 Garthdee Drive, Aberdeen.
- The applicant is currently registered with the Landlord Registration database, although their property at No.39 Garthdee Drive is not registered. It will therefore be necessary for the applicant to register the property prior to letting it.
- The applicant has requested an occupancy of 6 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a first-time application, although the previous owner held an HMO licence.

- The meeting of the Licensing Committee on 13 June 2017, is the last meeting before the one-year deadline therefore if the above-mentioned HMO & SFRS requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 13 June 2017. I will advise the Committee whether or not all requirements have been completed.

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

Ally Thain
Private Sector Housing Manager



0 5 10 20 Metres

1:500



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	1 June 2017
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.77 – 79 Bon Accord Street, Aberdeen

Applicant/s: Aberdeen City Council

Agent: Ad Hoc Property Management Limited

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 13 June 2017 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

The premises to which this HMO licence application relates is a four-storey terraced house providing accommodation comprising 19 letting bedrooms, 2 public rooms, 4 kitchens & 6 bathrooms. The premises was previously used as an ACC hostel for homeless persons. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 30 August 2016.

HMO upgrading works and certification:

The HMO Officer carried out an initial inspection of the property on 7 September 2016, then he wrote to the applicant listing the following requirements to bring the property up to the current HMO standard:-

1. IP44-rated light fittings to be installed in all bathrooms.
2. Faulty/missing lightbulbs to be replaced and diffuser covers to be installed on strip lights.
3. Additional electric sockets to be installed throughout the premises.
4. A battery-operated CO detector to be installed in every room that has a gas appliance.
5. All doorlocks to be of a keyless type.
6. All self-closing doors must be adjusted to ensure that they fully close against their door-stops.
7. All windows to be adjusted to ensure that they open and close properly.
8. Kitchen unit doors to be adjusted as necessary.
9. Cooker-hoods in 2 kitchens to be repaired/replaced as necessary.
10. Silicone seals around shower trays to be replaced.
11. Opaque glass to be fitted to bathroom door at mezzanine level.
12. Water-damaged ceiling in bedroom 1 to be repaired and redecorated.
13. Ceiling in bedroom 6 to be repaired as necessary.
14. All areas of damaged plasterwork to be repaired.
15. Shower rail in 1st floor bathroom to be replaced.
16. Clean out vegetation in gutters & downpipes.
17. A bed, wardrobe & chest of drawers to be supplied and installed in each bedroom.
18. The Certificate of Compliance, Gas Safe Certificate, EICR certificate & PAT certificate to be submitted to the HMO Unit.

At the date of this report, the above requirements have not been completed although a final inspection is scheduled for 6 June 2017.

Scottish Fire & Rescue Service (SFRS):

At the date of this report, SFRS have yet to confirm that they are satisfied with the fire safety arrangements within the property.

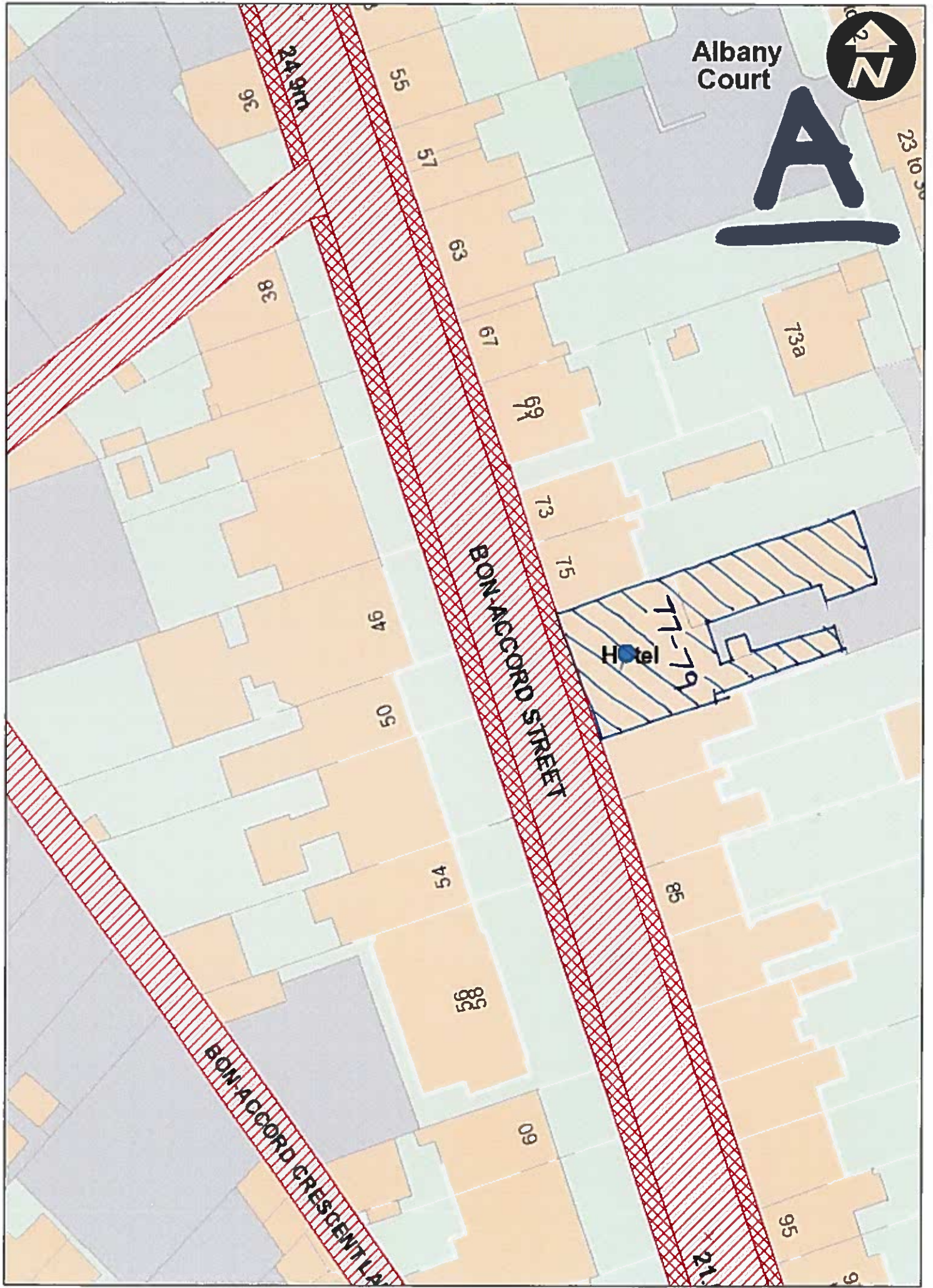
Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.

- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any corroborated complaints of anti-social behaviour at No.77 – 79 Bon Accord Street, Aberdeen.
- Aberdeen City Council, being a local authority, is exempt from the Landlord Registration regime.
- The applicant has requested an occupancy of 19 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a 'first-time' application.
- The meeting of the Licensing Committee on 13 June 2017, is the last meeting before the one-year deadline therefore if the above-mentioned HMO & SFRS requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 13 June 2017. I will advise the Committee whether or not all requirements have been completed.

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

Ally Thain
Private Sector Housing Manager



0 5 10 20 Metres

1:500

LICENSING COMMITTEE INFORMATION SHEET 13 JUNE 2017

TYPE OF APPLICATION: STREET TRADER- GRANT
APPLICANT: KEVIN CARR

DESCRIPTION

Grant for Street Traders Licence- Employer

Application submitted on 1 March 2017

Determination by 31 August 2017

CONSULTEES

- Police Scotland- no objection – 7/3/17
- Roads- no objection 25/5/17
- Environmental Health- objection 25/5/17

OBJECTIONS/REPRESENTATIONS

Environmental Health - No Certificate of Compliance

COMMITTEE GUIDELINES/POLICY

Applicants wishing to sell food from their vehicle/stall need to have it inspected to ensure compliance with food hygiene regulations. A licence cannot be granted without a valid Food Safety Certificate of Compliance.

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET 13 JUNE 2017

TYPE OF APPLICATION: STREET TRADER- RENEWAL
APPLICANT: ALLAN MOULE

DESCRIPTION

Renewal for Street Traders Licence- Employer

Application submitted on 31 March 2017.

Determination by 30 August 2017

CONSULTEES

- Police Scotland- no objection – 11/4/17
- Roads- no objection 25/5/17
- Environmental Health- objection 25/5/17

OBJECTIONS/REPRESENTATIONS

Environmental Health - No Certificate of Compliance

COMMITTEE GUIDELINES/POLICY

Applicants wishing to sell food from their vehicle/stall need to have it inspected to ensure compliance with food hygiene regulations. A licence cannot be granted without a valid Food Safety Certificate of Compliance.

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET 13 JUNE 2017

TYPE OF APPLICATION: STREET TRADER- RENEWAL
APPLICANT: LEON GRANT

DESCRIPTION

Grant for Street Traders Licence- Employer

Application submitted on 21 March 2017.

Determination by 20 August 2017

CONSULTEES

- Police Scotland- no objection – 27/3/17
- Roads- objection 3/4/17
- Environmental Health- clear response 29/5/17

OBJECTIONS/REPRESENTATIONS

Roads- double yellow lines

COMMITTEE GUIDELINES/POLICY

The site which street traders are situated on roads must be safe and abide by legislation

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity

having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET 13 JUNE 2017

TYPE OF APPLICATION: STREET TRADER- GRANT
APPLICANT: NIGEL CARTER

DESCRIPTION

Grant for Street Traders Licence- Employer

Application submitted on 27/2/17.

Determination by 26/8/17

CONSULTEES

- Police Scotland- no objection – 7/3/17
- Roads- ice cream van- no comment as Zones
- Environmental Health- Objection- no Certificate of Compliance

OBJECTIONS/REPRESENTATIONS

Environmental Health- Roads

COMMITTEE GUIDELINES/POLICY

Applicants wishing to sell food from their vehicle/stall need to have it inspected to ensure compliance with food hygiene regulations. A licence cannot be granted without a valid Food Safety Certificate of Compliance.

GROUNDINGS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of

such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PUBLIC ENTERTAINMENT LICENCE- GRANT

APPLICANT: NORTHFIELD COMMUNITY CENTRE

DESCRIPTION

Grant for Public Entertainment Licence

Application submitted on 22/12/16.

Determination by 21/6/17

CONSULTEES

- Police Scotland- no objection – 5/1/17
- Environmental Health-
- Building Standards- Objection – works to be completed

OBJECTIONS/REPRESENTATIONS

Building Standards

COMMITTEE GUIDELINES/POLICY

The premises to be used must be generally structurally sound. They must in no way present any danger to persons frequenting the premises and must be capable of supporting the loadings imposed in a building of public assembly. Any scaffolding for staging, props or seating must be adequately designed and constructed for the loads to which they are to be subjected.

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: SKIN PIERCING – GRANT

APPLICANT: DORATA GIERSZEWSKA

DESCRIPTION

Grant for skin piercing licence
 Application submitted on 23/1/17.
 Determination by 22/6/17

CONSULTEES

- Police Scotland- no objection – 26/1/17
- Environmental Health- 3/3/17

OBJECTIONS/REPRESENTATIONS

LD- Site Notice Compliance Certificate not submitted

COMMITTEE GUIDELINES/POLICY

The application must also contain either of the following:

A declaration that you will display a notice at the premises for 21 days which contains the details in your licence application and details on how to make representations regarding the application. This should be followed by a certificate to the licensing authority stating that this requirement has been complied with.

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use

of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: TAXI DRIVER – GRANT

APPLICANT: UMAR FAROOQ

DESCRIPTION

Grant for Taxi Driver Licence
 Application submitted on 9/3/17
 Determination by 8/9/17

CONSULTEES

- Police Scotland- no objection – 15/3/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test

COMMITTEE GUIDELINES/POLICY

All Taxi Driver Grant applications must pass Street Knowledge Test

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

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having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: TAXI DRIVER – GRANT

APPLICANT: JONATHAN PHILIP

DESCRIPTION

Grant for Taxi Driver Licence
 Application submitted on 9/1/17
 Determination by 8/6/17

CONSULTEES

- Police Scotland- objection 3/2/17 but considered by Committee on 18/4/17 and could be granted under DP on completion of SK

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test

COMMITTEE GUIDELINES/POLICY

All Taxi Driver Grant applications must pass Street Knowledge Test

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

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(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: TAXI DRIVER – GRANT
APPLICANT: GARY PRENTICE

DESCRIPTION

Grant for Taxi Driver Licence
 Application submitted on 9/1/17
 Determination by 8/6/17

CONSULTEES

- Police Scotland- no objection – 22/5/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test

COMMITTEE GUIDELINES/POLICY

All Taxi Driver Grant applications must pass Street Knowledge Test

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

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having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: TAXI DRIVER – RENEWAL

APPLICANT: MICHAEL PIRIE

DESCRIPTION

Renewal for Taxi Driver Licence
 Application submitted on 23/12/16
 Determination by 22/6/17

CONSULTEES

- Police Scotland- no objection – 28/12/16

OBJECTIONS/REPRESENTATIONS

LD- DVLA details

COMMITTEE GUIDELINES/POLICY

Policy- Civic Government Act 1982, all applicants must show evidence they have held their licence for 12 months prior to application

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

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(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – GRANT

APPLICANT: BRIAN DONALD

DESCRIPTION

Grant for Private Hire Car Driver Licence
 Application submitted on 26/12/16
 Determination by 25/6/17

CONSULTEES

- Police Scotland- no objection – 18/1/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test & Proof of right to work

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test
 -Immigration Act 2016- proof of right to work in UK must be provided by all applicants

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

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(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – GRANT

APPLICANT: CHARLES KAMWA KAMGAING

DESCRIPTION

Grant for Private Hire Car Driver Licence
 Application submitted on 13/1/17
 Determination by 12/7/17

CONSULTEES

- Police Scotland- no objection – 18/1/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

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(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – GRANT

APPLICANT: AHMED ALSAWY

DESCRIPTION

Grant for Private Hire Car Driver Licence
 Application submitted on 23/2/17
 Determination by 22/817

CONSULTEES

- Police Scotland- no objection – 3/3/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test & Proof of right to work

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test
 -Immigration Act 2016- proof of right to work in UK must be provided by all applicants

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

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(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – GRANT

APPLICANT: HANNI BEDAWI

DESCRIPTION

Grant for Private Hire Car Driver Licence
 Application submitted on 1/3/17
 Determination by 31/08/17

CONSULTEES

- Police Scotland- no objection – 8/3/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test & Proof of right to work

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test
 -Immigration Act 2016- proof of right to work in UK must be provided by all applicants

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – GRANT
APPLICANT: RAYMOND CHRISTIE

DESCRIPTION

Grant for Private Hire Car Driver Licence
 Application submitted on 28/2/17
 Determination by 27/8/17

CONSULTEES

- Police Scotland- no objection – 13/3/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test & Proof of right to work

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test
 -Immigration Act 2016- proof of right to work in UK must be provided by all applicants

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – RENEWAL
APPLICANT: MICHAEL KULAGOWSKI

DESCRIPTION

Renewal for Private Hire Car Driver Licence
 Application submitted on 28/2/17
 Determination by 27/8/17

CONSULTEES

- Police Scotland- no objection – 25/1/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test & DVLA code

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test
 -CG 1982- applicant must provide evidence have held the licence for 12 months prior to application

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use

of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET 13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – GRANT
APPLICANT: GRAHAM LUMSDEN

DESCRIPTION

Grant for Private Hire Car Driver Licence
Application submitted on 10/1/17
Determination by 9/7/17

CONSULTEES

- Police Scotland- no objection – 19/1/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test & DVLA code

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test
-CG 1982- applicant must provide evidence have held the licence for 12 months prior to application

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use

of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – RENEWAL
APPLICANT: MICHAEL MCPAKE

DESCRIPTION

Renewal for Private Hire Car Driver Licence
 Application submitted on 30/1/17
 Determination by 29/7/17

CONSULTEES

- Police Scotland- no objection – 2/2/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – RENEWAL

APPLICANT: SHEILA MOFFAT

DESCRIPTION

Renewal for Private Hire Car Driver Licence
 Application submitted on 3/2/17
 Determination by 2/8/17

CONSULTEES

- Police Scotland- no objection – 15/2/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – GRANT

APPLICANT: GRAHAM RAMSAY

DESCRIPTION

Grant for Private Hire Car Driver Licence
 Application submitted on 28/12/16
 Determination by 27/6/17

CONSULTEES

- Police Scotland- no objection – 4/1/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – TEMPORARY GRANT

APPLICANT: VASILE-GIOVANI TOMA

DESCRIPTION

Grant for Temporary Private Hire Car Driver Licence
 Application submitted on 7/3/17
 Determination by 6/9/17

CONSULTEES

- Police Scotland- no objection – 14/3/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test , Immigration Act 2016,CG Act 1982, Policy

COMMITTEE GUIDELINES/POLICY

- All applications submitted after 23/12/16 must sit and pass street knowledge test
- Immigration Act 2016- proof to right to work in UK
- CG Act 1982- evidence held licence for 12 months prior to app
- Any applicant with 9+ points or a serious offence must be determined by Licensing Committee

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of

such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – RENEWAL

APPLICANT: RAFAL WIEWIORKA

DESCRIPTION

Renewal for Private Hire Car Driver Licence
 Application submitted on 18/1/17
 Determination by 17/7/17

CONSULTEES

- Police Scotland- no objection – 25/1/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test

COMMITTEE GUIDELINES/POLICY

-All applications submitted after 23/12/16 must sit and pass street knowledge test

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: PRIVATE HIRE CAR DRIVER – RENEWAL

APPLICANT: SUSANNE STEPHEN

DESCRIPTION

Renewal for Private Hire Car Driver Licence
 Application submitted on 27/2/17
 Determination by 26/8/17

CONSULTEES

- Police Scotland- no objection – 2/3/17

OBJECTIONS/REPRESENTATIONS

LD- Street Knowledge Test, CG 1982, Policy

COMMITTEE GUIDELINES/POLICY

- All applications submitted after 23/12/16 must sit and pass street knowledge test
- CG Act 1982- provide evidence held driving licence for 12 months prior to application
- Policy- all applicants with 9+ points or serious offence on their licence must be determined by the Licensing Committee

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of

such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: RENEWAL OF TAXI LICENCE
APPLICANT: CENTRAL TAXIS ABERDEEN

DESCRIPTION

Renewal of taxi licence
 Application submitted on 27/2/17
 Determination by 26/8/17

CONSULTEES

- Police Scotland- no objection – 28/217

OBJECTIONS/REPRESENTATIONS

LD- Vehicle has not passed its inspection

COMMITTEE GUIDELINES/POLICY

-All vehicles must pass inspection

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: RENEWAL OF TAXI LICENCE
APPLICANT: MICHAEL PIRIE

DESCRIPTION

Renewal of taxi licence
 Application submitted on 23/12/16
 Determination by 22/6/17

CONSULTEES

- Police Scotland- not yet responded

OBJECTIONS/REPRESENTATIONS

LD- Vehicle has not passed its inspection

COMMITTEE GUIDELINES/POLICY

-All licensed vehicles must pass inspection

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

13 JUNE 2017

TYPE OF APPLICATION: RENEWAL OF TAXI LICENCE

APPLICANT: CHARLES FARMAN

DESCRIPTION

Renewal of taxi licence
 Application submitted on 31/1/17
 Determination by 30/7/17

CONSULTEES

- Police Scotland- no objection – 3/2/17

OBJECTIONS/REPRESENTATIONS

LD- Vehicle has not passed its inspection

COMMITTEE GUIDELINES/POLICY

-All licensed vehicles must pass inspection

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: RENEWAL OF TAXI LICENCE
APPLICANT: LESLIE MCROBBIE

DESCRIPTION

Renewal of taxi licence
 Application submitted on 28/2/17
 Determination by 27/8/17

CONSULTEES

- Police Scotland- no objection – 7/3/17

OBJECTIONS/REPRESENTATIONS

LD- Vehicle has not passed its inspection

COMMITTEE GUIDELINES/POLICY

-All licensed vehicles must pass inspection

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: RENEWAL OF TAXI LICENCE
APPLICANT: ALEXANDER MASSIE

DESCRIPTION

Renewal of taxi licence – Reg: SJ62 EYH
 Application submitted on 28/2/17
 Determination by 27/8/17

CONSULTEES

- Police Scotland- no objection – 13/3/17

OBJECTIONS/REPRESENTATIONS

LD- Vehicle has not passed its inspection

COMMITTEE GUIDELINES/POLICY

-All licensed vehicles must pass inspection

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: RENEWAL OF TAXI LICENCE
APPLICANT: SCOTT MITCHELL

DESCRIPTION

Renewal of taxi licence
 Application submitted on 29/12/17
 Determination by 28/6/17

CONSULTEES

- Police Scotland- no objection – 4/1/17

OBJECTIONS/REPRESENTATIONS

LD- Vehicle has not passed its inspection

COMMITTEE GUIDELINES/POLICY

-All licensed vehicles must pass inspection

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET
13 JUNE 2017

TYPE OF APPLICATION: RENEWAL OF TAXI LICENCE
APPLICANT: ZOEY PATERSON

DESCRIPTION

Renewal of taxi licence
 Application submitted on 26/1/17
 Determination by 25/7/17

CONSULTEES

- Police Scotland- no objection – 14/3/17

OBJECTIONS/REPRESENTATIONS

LD- Vehicle has not passed its inspection

COMMITTEE GUIDELINES/POLICY

-All licensed vehicles must pass inspection

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified from holding a licence, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be,

that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

COMMITTEE	Licensing Committee
DATE	13 June 2017
REPORT TITLE	Accessible Vehicle Policy Update
REPORT NUMBER	CG/17/071
DIRECTOR/HEAD OF SERVICE	Fraser Bell
REPORT AUTHOR	Sandy Munro

1. PURPOSE OF REPORT:-

1.1 The purpose of the report is to update the Committee with details of the responses received from the UK Government and Dundee City Council in connection with the Accessible Vehicle Policy.

2. RECOMMENDATION(S)

2.1 It is recommended that the Committee notes the terms of the responses received from the UK Government and Dundee City Council.

3. BACKGROUND/MAIN ISSUES

Background

3.1 The Committee introduced a policy in 1994 whereby new taxis were required to be accessible vehicles. At that time it was intended that there would be a gradual move to a 100% accessible vehicle taxi fleet and accordingly no backstop date was fixed for implementation. Licences issued prior to 1994 were entitled to be renewed on non-accessible vehicles for the time being.

3.2 In 2006 the Committee removed the limit on taxi licences, although all new applications still required to be accessible vehicles.

3.3 The Committee's Policy was challenged in the case of Wilson v Aberdeen City Council in 2007 and the Court of Session ruled that both the Committee's policy and also the "two tier" system of licences that resulted (pre and post 1994) were perfectly valid.

3.4 A limit on the number of taxi licences was reimposed in 2012 and the Committee instructed a consultation exercise to review the accessible vehicle policy. The majority of consultees were in favour of an accessible vehicle taxi fleet and at the meeting on 6 June 2012 the Committee fixed a date of 6 June 2017 by which time all taxis would require to be accessible vehicles. The

Committee recognised this as the most efficient way of meeting the Public Sector Equality Duty imposed by the Equality Act 2010.

- 3.5 The Committee further considered the policy at the meeting of 6 April 2016 and upheld the previous decision, although the matter was referred to Full Council for consideration. At the meeting of 11 May 2016 Full Council upheld the decision of the Committee but amended the backstop date to 6 June 2018 and instructed officers to seek clarity on any proposed implementation date for the remaining provisions of part 12 of the Equality Act 2010 and also to write to the Chief Executive of Dundee City Council seeking clarity in and around their mixed fleet policy and report back to the Licensing Committee with their response.

UK Government Response

- 3.6 The response from the UK Government indicated that s165 and 167 of the Equality Act 2010 would be commenced imminently. These sections relate to drivers' duties to assist disabled persons and the option to local authorities to maintain a list of accessible vehicles and are now in force.
- 3.7 The response also indicated that the government did not intend to commence the remaining sections regarding the setting of quotas for accessible vehicles, highlighting that local authorities already had wide ranging powers to require vehicles to be used as taxis or private hire cars to meet certain requirements and that those powers could be used to ensure that taxi and private hire fleets meet the local requirements.
- 3.8 In summary therefore the government are not implementing any form of mandatory rules on the number of accessible vehicles within a fleet. It would therefore be up to an individual authority to defend the makeup of the local fleet in the event of any legal challenge.

Dundee City Council

- 3.9 Dundee City Council indicated that they had performed a similar consultation exercise to that carried out on the instructions of the Committee as detailed above. The results in Dundee indicated a preference for a mixed taxi fleet and the Licensing Committee in Dundee ultimately approved a breakdown of 60% accessible vehicles and 40% saloon cars. The figures given in the response indicated that the current split in the fleet was 56% accessible vehicles and 44% saloon cars. The view taken by Dundee City Council was that it would not be fair or practicable to suddenly require saloon car operators to convert to accessible vehicles in order to bring the figures in line with policy. This is obviously different to our own position as pre-1994 licence holders have been given considerable notice of the date of full implementation of the policy and this was done on the grounds of fairness.
- 3.10 During the consultation exercise the opinion of Senior Counsel had been sought. Counsel advised that there was no magic solution in order to ensure compliance with the Public Sector Equality Duty. This meant that fleets did not necessarily have to be 100% accessible but equally there was no reliable formula for establishing a "correct" split between accessible vehicles and saloon cars.

- 3.11 Dundee City Council also indicated that since September 2016 all new applications for taxi licences would only be granted to electric vehicles from an approved list.
- 3.12 Whilst the response from Dundee City Council provides us with some background in how they arrived at their figures it does not provide much assistance by way of comparison with our situation. It is worth noting that the response to our consultation was largely in favour of an accessible vehicle fleet whereas the opposite was true in Dundee. It is also pertinent that Counsel has confirmed there is no reliable method for calculating an acceptable split of resources in such circumstances.

Conclusion

- 3.13 Taking all factors into consideration it is therefore recommended that the Committee continue with the proposed implementation date of 6 June 2018 in respect of a 100% accessible vehicle fleet.
- 3.14 Whilst the government have confirmed there will be no mandatory quotas for accessible vehicles there is equally no suggestion that the policy is unlawful. Indeed it has been the subject of legal challenge and the Court held that it could “not be other than wholly sympathetic to a policy which in the end envisaged that the whole taxi fleet in Aberdeen would be accessible”.
- 3.15 Dundee have obviously pursued a course of action felt appropriate for the local circumstances but it should again be reiterated that there is no recognised formula for determining an appropriate split between accessible vehicles and saloon cars. It is as yet unclear as to how any decision on such a split would be viewed by the courts, although the following paragraph from the English case of R v Newcastle ex parte Blake suggests that it is possible that it could be open to criticism:
- 3.16 *The third consideration calls upon one to look at the situation through the eyes of the person who is bound to a wheelchair. It may be that there is an adequate number of wheelchair access Hackney carriages if one simply looks upon it as a statistical problem. If there are say five percent of wheelchair-bound potential passengers and already ten percent of vehicles which have wheelchair access, one might say that is an adequate provision. But what of the person who is waiting on the rank in his wheelchair for a Hackney Carriage and he is fifth in the queue. The first two may be the older type of vehicle with no wheelchair access. Then along comes vehicle number three which has a wheelchair access. It may well be that the people who are number 3 in the queue may not be willing to stand down and let the wheelchair bound person take their place. They go off in the Hackney carriage with the wheelchair access and then it may be that another such vehicle does not come to that stand for a long time. The disabled person has to keep standing back again and again in the queue. That is not an unreal situation. The mere fact that you have a set percentage of vehicles, if that is the way it is to be done, which have wheelchair access, does not always mean there is roughly a sufficient number of such vehicles waiting or arriving roughly at the right time at this, that or the other rank.*

- 3.17 In addition, one of the principal arguments against a 100% accessible fleet is that some types of accessible vehicle can be difficult or inconvenient for some elderly or disabled non-wheelchair bound patrons to enter. The distinction to be made here however is that such difficulties can be mitigated through driver assistance or other measures whereas a wheelchair bound passenger cannot access a saloon vehicle whilst remaining in the wheelchair regardless of any mitigation. The matter of improvements to driver training is currently being investigated as a separate issue.
- 3.18 It is also worth noting that the policy relates only to the taxi fleet and not to the private hire fleet. Passengers looking to pre-book a vehicle for a particular journey will therefore still have a choice as to the type of vehicle that can be requested.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report. Any amendments to the policy may result in legal challenge on the grounds that the authority is not meeting its obligations under the Equality Act 2010.

6. MANAGEMENT OF RISK

- 6.1 The Committee first indicated its intention to move to a 100% accessible vehicle fleet in 1994. From that date onwards, any applicant for a taxi licence must present an accessible vehicle.
- 6.2 If the Committee amends its policy it may face challenge from licence holders who have taken steps in anticipation of the implementation date of 6 June 2018 to purchase or lease an accessible vehicle which could include claims for compensation. It may also face challenge from disability groups for failing to comply with its duties under the equalities legislation if the decision is taken to move to a mixed fleet of saloon and accessible vehicles. Having considered the view from the courts in similar cases, the prospects of the Council successfully resisting any challenge from disability groups could be said to be low.
- 6.3 The Committee was criticised in the case of Wilson v ACC for the length of time it was taking to fully implement the 1994 policy and move to a fully accessible fleet. If the Committee decides to now deviate from the deadline of 6 June 2018, it may face further criticism from the court in the event of a challenge.

7. IMPACT SECTION

Economy

- 7.1 There is no direct economic impact arising from the recommendations.

People

- 7.2 There is no direct impact on any of the protected characteristics arising from the recommendations.

Place

- 7.3 There is no direct impact arising from the recommendations.

Technology

- 7.4 There is no direct impact arising from the recommendations.

8. BACKGROUND PAPERS

- 8.1 Report No. CG/12/045 – Review of Policy on Taxi Licences
Report No. CG/16/053 – Review of Accessible Vehicle Policy
Wilson v Aberdeen City Council
R v. Newcastle ex parte Blake

9. APPENDICES (if applicable)

N/A

10. REPORT AUTHOR DETAILS

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COMMITTEE	Licensing Committee
DATE	13 June 2017
REPORT TITLE	Taxi Rank Review
REPORT NUMBER	CG/17/072
DIRECTOR/HEAD OF SERVICE	Fraser Bell
REPORT AUTHOR	Sandy Munro

1. PURPOSE OF REPORT:-

- 1.1 To provide the Committee with updated information in relation to the Taxi Rank Review.

2. RECOMMENDATION(S)

- 2.1 That the committee

1. Notes the updated information in relation to the taxi rank review; and
2. Instructs 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 Committee by June 2018.

3. BACKGROUND/MAIN ISSUES / OTHER HEADINGS AS APPROPRIATE

- 3.1 At the meeting on 25 October 2016 the Committee instructed officers to undertake a review of taxi rank provision and location within the city, in consultation with the Roads Infrastructure Manager and all appropriate parties to identify where suitable additional ranks could be provided if appropriate and to report back to the Committee at a future meeting.
- 3.2 The Committee then subsequently instructed officers to undertake a taxi demand survey in conjunction with the fare review and for that to be carried out by June 2018.
- 3.3 Officers have begun to collate data relating to waiting times at the taxi ranks currently in place in order to assist with the review. However it is likely that the results of the taxi demand survey will also have an impact on the review of taxi rank provision and it is therefore recommended that the review of the taxi ranks is incorporated into the overall demand survey scheduled to be

completed by June 2018. By doing so it is also probable that the Committee would be provided with more meaningful and complete data on which to base a final decision.

4. FINANCIAL IMPLICATIONS

- 4.1 There is no budget for a separate demand survey in relation to taxi ranks and this will have an impact on budgetary constraints within the licensing service. Such impacts would be mitigated if incorporated within the overall demand survey already instructed and for which a budget is in place.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

- 6.1 By incorporating the rank review within the demand survey the Committee will ensure that any final decision made is done so on the best available evidence. At present there is no suggestion that delaying the review until June 2018 will result in any issues with taxi rank provision. The position can be monitored and a further report brought to Committee in the event that circumstances change.

7. IMPACT SECTION

Economy

- 7.2 There is no direct economic impact as a result of the recommendations of this report.

People

- 7.3 There is no direct impact on any persons or protected characteristics as a result of the recommendations of this report.

Place

- 7.4 There is no direct impact as a result of the recommendations of this report. By incorporating the taxi rank review within the overarching demand survey the Committee will be taking any decisions on the best available evidence to ensure any proposals are of maximum benefit to the city.

Technology

- 7.5 There is no direct impact as a result of the recommendations of this report.

8. BACKGROUND PAPERS

8.1 None.

9. APPENDICES (if applicable)

9.1 None

10. REPORT AUTHOR DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	13 June 2017
REPORT TITLE	Safety of Sports Grounds Act 1975 as amended – General Safety Certificate Pittodrie Certificate
REPORT NUMBER	CG/17/063
DIRECTOR/HOS	Fraser Bell
REPORT AUTHOR	Arlene Dunbar

1. PURPOSE OF REPORT:-

- 1.1 To request that the Licensing Committee agree to the adoption of the General Safety Certificate issued to Aberdeen Football Club Plc annexed as Appendix 1 to this report and as set out in paragraph 5 below.

2. RECOMMENDATION(S)

- 2.1 That the Committee approves the General Safety Certificate June 2017 to be issued to Aberdeen Football Club Plc.

3. BACKGROUND/MAIN ISSUES / OTHER HEADINGS AS APPROPRIATE

- 3.1 In terms of the Safety of Sports Grounds Act 1975 (as amended) any sports stadium which has accommodation for more than 10,000 spectators shall require a Safety Certificate.
- 3.2 The Act defines a sports ground as: 'A place where sports or other competitive activities take place in the open air, and where accommodation has been provided for spectators, consisting of artificial structures or of natural structures artificially modified for the purpose.'
The only sports ground which currently meets the relevant statutory requirements in Aberdeen City is Pittodrie Stadium.
- 3.3. The certificate has been renewed on an annual basis, although this is not a requirement of the Act and a number of inspections are carried out at the stadium during the year. The current certificate expires on 16 June 2017 and requires to be renewed before the expiry date and the commencement of the new football season.

- 3.4 The amendments to the Safety Certificate have been highlighted in the Certificate and in particular the following amendments have been made:
1. Clause 37 has been amended so that the certificate does not expire each year. There is no provision in the Act for a general safety certificate to be issued for a finite period. It must be assumed therefore; that such a certificate should run indefinitely, until or unless it is revoked, replaced or surrendered. The certificate will continue to be reviewed annually or as soon as reasonably practicable after any incident in which the safety of the public may have been put at risk or where doubts have been cast on the condition or management of the sports ground.
 2. Appendix 6 has been updated and replaced
 3. Appendix 7 has been updated and replaced.
- 3.5 Due to the technical nature of the work involved, the Sports Ground Advisory Group has established a working group made up of officers to deal with relevant matters arising and in particular to review the terms and conditions of the Safety Certificate. The officers on the working group have no objections to the proposed amendments and recommend that the draft Certificate can be approved.
- 3.6 The Safety Certificate is before the Licensing Committee for their approval.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 If the Safety Certificate is not approved by the Committee Aberdeen Football Club would be unable to carry out their specified activities including association football, Rugby Union and other sporting event(s) attended by more than 500 spectators.
- 5.2 The decision to refuse to amend the certificate is an appealable decision. The certificate holder can appeal the decision to the Secretary of State and it is assumed that this highly likely that an appeal would be made as Aberdeen Football Club would be unable to commence the new football season in June 2017.

6. MANAGEMENT OF RISK

- Financial

- 6.1 There are no direct financial implications arising from the recommendations of this report.

- Employee
- 6.2 There is no risk to employees arising from the recommendations of this report
- Customer/Citizen
- 6.3 If the Safety Certificate is not approved by the Committee Aberdeen Football Club would be unable to carry out their specified activities including association football, Rugby Union and other sporting event(s) attended by more than 500 spectators. There would be a high risk if the certificate was not approved due to the aforementioned reasons.
- Environmental
- 6.4 There is no risk to the environment arising from the recommendations of this report.
- Technological
- 6.5 There is no risk to technology arising from the recommendations of this report.
- Legal
- 6.6 The decision to refuse to amend the certificate is an appealable decision. The certificate holder can appeal the decision to the Secretary of State and it is assumed that this highly likely that an appeal would be made as Aberdeen Football Club would be unable to commence the new football season in June 2017. Officers are satisfied that the stadium is safe. There would be a high risk if the certificate was not approved due to the aforementioned reasons.
- Reputational
- 6.7 The Safety Certificate is likely to be of interest to the public, football fans and the press and failure to renew it may cause reputational damage to the authority. Officers are satisfied that the stadium is safe. There would be a medium risk if the certificate was not approved due to the aforementioned reasons.

7. IMPACT SECTION

Economy

- 7.1 There will be no impact on the economy arising from the recommendations.

People

7.2 The Safety Certificate is likely to be of interest to the public as it outlines the safety standards which must be adopted by Aberdeen Football Club for the benefit of those who attend the Stadium.

7.3 The Safety Certificate seeks to promote the general equality duty in terms of disability by promoting accessibility and accommodation for disabled supporters. The proposal has a neutral impact on groups with protected characteristics and an impact assessment is therefore not required.

Place

7.4 There will be no impact on the place arising from the recommendations.

Technology

7.5 There will be no impact on technology arising from the recommendations

8. BACKGROUND PAPERS

8.1 None

9. APPENDICES (if applicable)

9.1 Appendix 1 – Safety Certificate

10. REPORT AUTHOR DETAILS

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Aberdeen City Council

SAFETY OF SPORTS GROUND ACT 1975

AS AMENDED

**GENERAL SAFETY CERTIFICATE
FOR A DESIGNATED GROUND
KNOWN AS**

**Pittodrie Stadium
Pittodrie Street,
Aberdeen, AB24 5QH**

AMENDMENTS TO GENERAL SAFETY CERTIFICATE

Date	Version Number	Description of Changes
June 2017	Version 1.0	Amendment to Clause 37 Amendment to Appendix 6 Amendment to Appendix 7 General formatting changes

SAFETY AT SPORTS GROUND ACT 1975
AS AMENDED
GENERAL SAFETY CERTIFICATE
ARRANGEMENT

Clauses 1 to 37	Terms and conditions of the General Safety Certificate
Appendix 1	Specified Activities
Appendix 2	Attendance Limits
Appendix 3	Table of Inspecting, Testing and Recording of the Stadium
Appendix 4	Location of entrance and exit gates
Appendix 5	List of Deviations
Appendix 6	Calculation of P&S Factors
Appendix 7	Layout of Stadium

In exercise of the powers conferred by the Safety of Sports Grounds Act 1975 as amended, Aberdeen City Council, hereby issues to Aberdeen Football Club plc ('the Holder'), this General Safety Certificate in respect of Pittodrie Stadium, Pittodrie Street, Aberdeen, ('the stadium'), being a sports stadium so designated by the Secretary of State under The Safety of Sports Grounds (Designation) (Scotland) Order 1998/1601 as requiring a Safety Certificate.

1. This Certificate includes the Appendices and annexed Plan(s).
2. This Certificate shall be interpreted in accordance with relevant statutory provisions and the following:

<i>the Act</i>	means the Safety of Sports Grounds Act 1975 as amended
<i>Authorised Person</i>	means a person authorised in accordance with Section 11 of the Act to enter a sports ground and make inspection and enquiries relating to it as he considers necessary for the purposes of the Act
<i>Environmental Health Service</i>	means the Environmental Health Authority of Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB
<i>The Chief Constable</i>	means the Chief Constable of Police Service of Scotland or his/her authorised representative
<i>The designated Officer of the Council</i>	means the Head of Legal and Democratic Services, Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB or his/her authorised representative, contactable through the Legal Services, Aberdeen City Council, Marischal College Broad Street, Aberdeen AB10 1AB or Licensing@aberdeencity.gov.uk
<i>the Chief Fire Officer</i>	means the Chief Fire Officer of The Scottish Fire and Rescue Service or his/ her authorised representative
<i>The Fire Authority</i>	means The Scottish Fire and Rescue Service.
<i>The General Manager</i>	means the General Manager for North Division of the Scottish Ambulance Service
<i>the Guide</i>	means the 'Guide to Safety at Sports Grounds' fifth edition, published 2008 with the permission of the Department for Culture, Media and Sport on behalf of the Controller of Her Majesty's Stationery Office
<i>the Holder</i>	means the applicant for, and the person to whom this Certificate is issued, being a qualified person for the purposes of the Act
<i>the Plan</i>	means the drawing(s) of the stadium attached to this Certificate

dated May 2017 in terms of Section 2(4) of the Act.

P and S factors means the mathematical formula by which both the physical condition of the stadium ('P factor') and the quality of the safety management of the stadium ('S factor') are assessed as per Clause 11

specified activity means any one or more of the activities listed in Appendix 1 herein

3. **Terms and Conditions of Issue of General Safety Certificate**

- (1) This Certificate is issued under the following terms and conditions. No variation to said terms and/or conditions shall be permitted without the designated Officer of the Council's prior written approval.
- (2) The Holder shall comply with the terms and conditions of this Certificate, so far as reasonably practicable, whilst the stadium is in use for a specified activity as noted in Appendix 1 herein.
- (3) The Holder shall comply with the recommendations contained in the Guide, so far as reasonably practicable, insofar as the said recommendations are not substituted, amended, modified, extended or otherwise altered by all or any of the terms and/or conditions contained in this Certificate. The Holder shall ensure that all elements of the stadium comply with the recommendations noted in the Guide, so far as reasonably practicable.

4. **Deviations**

- (1) In the event of non-compliance with the terms of clause(s) 3(2) and/or 3(3) above, the Holder must provide a list of current deviations. The list must comprise the following:
 - (a) the expected standard to be provided in accordance with the Guide ('the required standard');
 - (b) the specific chapter(s) of the Guide to which the required standard relates;
 - (c) reason(s) why the required standard cannot be maintained ('deviations') and
 - (d) any recommended upgrading works that may require to be undertaken, so far as reasonably practicable, in relation to the deviations.
- (2) Said deviations shall only be acceptable to the designated Officer of the Council if s/he considers them, with reference to the specific circumstances of each case, to be both necessary and reasonable. Any deviations shall also require the written consent and approval of the designated Officer of the Council. The current list of deviations forms Appendix 5 of this document.

- (3) In the event that there are any subsequent substitutions, amendments, modifications, extensions or otherwise to any deviations, the Holder shall notify the designated Officer of the Council in writing as soon as possible from the date of occurrence.

5. **Operational Control**

The Holder shall be solely responsible for, and retain operational control of, the whole and each part of the stadium including any installations and/or buildings and shall take all necessary precautions for the safety of spectators admitted to the stadium. Whilst the presence of the police may be required to maintain public order, police officers shall not be present to overcome inadequacies in safety management. Responsibility for the safety of spectators at the ground shall remain at all times with the Holder.

6. **Statement of Intent**

- (1) Following discussion(s) with the Holder, the Chief Constable must have in place, a document ('Statement of Intent') which shall clearly include details of the following:
- (a) the demarcation of responsibility(ies) and function(s) between the police and the Holder in relation to the safety management of the stadium;
 - (b) whether particular posts are to be staffed by stewards and/or by police officers and identification of those specific posts;
 - (c) which individual(s) will assume certain responsibilities in particular circumstances and what those responsibilities and circumstances are and
 - (d) at what point operational control of the stadium shall be wholly handed over to the police.
- (2) Said Statement of Intent shall not at any time be construed as constituting an implied or explicit request for police services and shall not at any time be held to be legally binding upon any party.
- (3) In the event that any amendment(s) are made to the Statement of Intent, then the Chief Constable should, within a reasonable timeframe of the making of said amendment(s), forward to the designated Officer of the Council a copy of those updated amendment(s).

7. **Police Officer and Steward numbers**

The Chief Constable shall, in agreement with the Holder, make the final determination with regards to the total number of police officers and stewards required to ensure the safety of, and lawful and orderly conduct of, persons in attendance during a specified activity. The expense of said police officers and stewards shall be met wholly by the Holder.

The final determination regarding the total number of stewards required for each specified activity will remain with the Chief Constable. However, the Holder, following consultation with Police Service of Scotland may determine that specific football fixtures at the stadium are categorised as 'Category CS - Club Security

Only', or completely 'Police Free', with no Police Officers or Police Staff deployed within the football stadium in respect of that activity. In that event, it will be the responsibility of the Holder to determine the total number of stewards required.

8. **Spectator numbers**

The Holder shall ensure that the maximum number of spectators who may be admitted at any one time to the stadium and to each part thereof shall not exceed the attendance limits as specified in Appendix 2. The maximum capacity figures detailed in Appendix 2 may be reduced by the designated Officer of the Council following receipt by and consideration by him/her of the following reports, namely, the:

- (a) deviation report as per Clause 4 of this Certificate;
- (b) the fire risk assessment as per Clause 16;
- (c) the P & S Factor report as per Clause 11 (3) and
- (d) the structural report as per Appendix 3(d) of this Certificate.

The Holder shall also retain written records of the total number of spectators admitted to each part of and to the whole of the stadium for a period of no less than five years. Said records shall also be made available for inspection to an authorised person upon his/her request.

9. **Record Keeping**

- (1) Responsibility for the keeping of comprehensive and accurate records shall at all times remain with the Holder. In addition to the record keeping obligations as detailed in Appendix 3 herein, records shall also be kept of the following:
 - (a) details of all first aid and/or medical treatment provided to persons either attending an event at the stadium or persons employed by the Holder both prior to and during any specified activity. This obligation shall include details of any onward destination of the person(s) post treatment at the stadium. Said duty shall be without prejudice to any need to maintain medical confidentiality of the person(s) being treated.
 - (b) details of the total number and posts of first aiders, crowd doctor(s) and any other medical personnel in attendance during a specified activity;
 - (c) details of all pre-event briefing of stewards;
 - (d) details of all emergency drills and/or evacuation exercises plus any incident that may test the implementation of the contingency plan;
 - (e) details of any non-routine openings of an exit door, barrier or gate;
 - (f) details of all fire alarm activations and of all fires. This obligation shall be without prejudice to fire safety duties as specified in Clause 16 below;

- (g) reports of any significant motion of the structure in accordance with Chapter 5.5 of the Guide;
 - (h) details of all defects identified during barrier tests and the action taken to rectify said defects as per Clause 31 below. This duty shall be in addition to the Chapter 11.20 barrier testing obligation in the Guide;
 - (i) details of any inspections and tests undertaken prior to, during, and post an event and the outcome of those inspections and tests;
 - (j) details of the names of both the Safety Officer and Deputy Safety Officer as per Clause 12 below including the dates both said Officers were appointed;
- (2) The foregoing records shall be kept for a period of no less than five years.

10. **Risk assessments**

The Holder shall ensure that pre-event, site specific risk assessments as are deemed necessary for the protection and promotion of public safety shall be carried out by competent persons with the appropriate skills and experience for all specified activities. Said risk assessments shall include but not necessarily be limited to those risk assessments as detailed in the Guide and shall follow those steps listed in Chapter 3.3(e) of the Guide. Records of said risk assessments shall be kept for a period of no less than five years and the Holder shall, upon request from the designated Officer of the Council, submit to the designated Officer of the Council seven copies of the same risk assessment(s) so requested by him/her.

11. **P and S Factors**

- (1) The Holder shall ensure that the 'P' and 'S' factors are reassessed annually and shall ensure that said factors consider any risk assessments that are undertaken in accordance with Clause 10 above.
- (2) The Holder shall also ensure that the 'P' and 'S' factors are additionally reassessed upon the occurrence of one or more of the following, namely:
 - (a) any physical alteration to the stadium;
 - (b) any change in the nature of the event;
 - (c) any change in the nature of safety management structure and
 - (d) any change in the nature of personnel.
- (3) Any reassessment(s) of the 'P' and 'S' factors shall be undertaken in accordance with the general provisions of the Guide. The designated Officer of the Council shall be notified immediately of a requirement to reassess in the event of the occurrence of one or more of (a) to (d) above. Details of how the P & S factors have been calculated forms Appendix 6 of this document.

12. **Safety Officer and Deputy Safety Officer**

The Holder shall appoint an occupationally competent Safety Officer and Deputy Safety Officer in accordance with Chapters 3.11 and 3.13 of the Guide. In order to discharge properly their functions, both said Officers shall meet the requirements as detailed in Chapter 3.12 of the Guide. The Holder shall also have in place a written Spectator Safety Policy Document ('Policy Document') as noted in Chapter 3.8 of the Guide. Said Policy Document shall clearly indicate those provisions listed in Chapter 3.9 of the Guide and shall include the duties of both the Safety Officer and Deputy Safety Officer. The Policy Document and/or any subsequent revision(s) to it shall be signed and dated by the Holder or his representative and five copies shall be submitted to the designated Officer of the Council within fourteen days of execution for his/her approval.

13. **Chain of command**

- (1) To ensure the implementation of the Policy Document as detailed in Clause 12 above, the Holder shall ensure that said document clearly outlines a personnel chain of command which identifies the structure of personnel within the stadium including details of one's immediate superior in that chain of command.
- (2) The substantive of the Policy Document shall also ensure that each and every member of stadium personnel have a clear understanding of the following non exhaustive list:
 - (a) his/her respective role(s) and function(s) within the chain of command;
 - (b) a clear understanding of the overall decision making process in relation to safety matters and
 - (c) the role of ground management in relation to ground managements' control and supervision over safety issues.
- (3) Ground management shall also ensure that identification of the said chain of command shall facilitate and be conducive to the following:
 - (a) the speedy and accurate monitoring of spectator safety issues;
 - (b) the coordination of any follow up action on structural and/or safety management issues that may require to be taken and
 - (c) communication(s) with external agencies to ensure that safety procedures are being followed effectively.

14. **Stewarding**

- (1) Whilst the stadium is in use for a specified activity, the Holder shall take all reasonable steps to ensure that, where applicable, the provisions of the Private Security Industry Act 2001 are satisfied with regards to stewarding.
- (2) In particular, the Holder shall ensure that all stewards:

- (a) carry out their duties as specified in Chapter 4.7 of the Guide in addition to any other specified duties that may be so required of him/her;
 - (b) are able to understand and communicate verbal and written instructions in English;
 - (c) fully meet the training requirements in accordance with Chapter 4.8 of the guide in addition to any other training requirements that may be so required;
 - (d) are issued with a safety handbook which shall detail in full the duties and responsibilities that a steward may be required to undertake pre-event, during an event and post event. Said duties and responsibilities shall be summarised on a check list card which shall be carried by all stewards at all times during a specified activity. Said documentation shall be available for inspection by an authorised person upon his/her request.
- (3) The Holder shall also ensure that any contract or agreement with an external body(ies) for the supply of stewards shall include those specifications as detailed in Chapter 4.9 of the Guide.
- (4) When members of the public are admitted to the stadium for the sale of tickets only and for no other specified activity, the Holder shall ensure the attendance of sufficient Stewards throughout the period of sale to ensure the orderly behaviour of those members of the public.
- (5) Stewarding Management

Security service provider will be monitored throughout season for performance by club and in particular match day safety officers.

Security service provider to be provided with stewarding deployment plans pre-season by Aberdeen FC.

Security service provider to adhere to starting times for all stewards at every match, if stewards are late they must be fully briefed by a Supervisor.

Security service provider administration duties must be carried out prior to match or after match not during working hours when stewards should be familiarising themselves with the stadium and performing security checks.

Aberdeen FC to provide adequate and suitable portable public address system for Police Scotland and Security service provider briefing on match days. These important briefings must be audible at all times.

Experienced and well-informed Supervisors allocated to each stand at every match.

Experienced and well-informed Supervisors must complete a thorough safety briefing at each match.

All stewards must have knowledge and be informed at all times of Aberdeen FC stand representatives' positions, location of fire

extinguishers, fire exits, evacuation plans, potential safety hazards, first aid and any other issues for the event.

Steward's objectives are to maintain clear escape routes at all times, if additional stewards are available to assist with catering queues then, and only then, are they to assist with catering queuing.

If a steward becomes aware of any incident within their stand it is often not possible for them to contact a supervisor. If their supervisor is not immediately available they must make contact with the Aberdeen FC stand representative that is based permanently in their stand. These representatives have direct contact with control room and the Security service provider management at all times.

At all games the Security service provider must provide 4 fully trained and informed stewards who are trained in the use of the combat flare kits.

15. Contingency Plan

- (1) The Holder shall ensure that a contingency plan is drawn up and put in place in accordance with the general guidance in Chapters 3.17 – 3.19 (inclusive) of the Guide. Said contingency plan shall include, *inter alia*, measures designed to counter terrorism which may include but not necessarily be limited to the searching of spectators more thoroughly than usual prior to entry and the deployment of additional resources on the approach to entry points. It is recommended that spectators who may be affected by such measures are given advance notification, if possible, of any potential delays.
 - (a) The contingency plan shall also specify the procedure in place for the evacuation of disabled spectators in the event of an emergency. Said procedure should consider the possible need for disabled spectators to be carried by safety personnel or otherwise to a point of safety should it be impracticable or otherwise for those disabled spectators to reach a point of safety in their wheelchairs.
 - (b) The contingency plan shall be reviewed annually and after any incident or significant threat of an incident. Seven copies of said plan shall be submitted to the designated Officer of the Council within a reasonable timeframe of any annual or subsequent review.
 - (c) Exercises to test the effectiveness of aspects of the contingency plan shall also be staged at least once a year in consultation with the designated Officer of the Council and relevant emergency services
 - (d) The contingency plan shall be consistent at all times with any emergency plan(s) prepared by any of the emergency services.
- (2) An exercise to test the effectiveness of an evacuation of all persons within the stadium in the event of an incident occurring shall be carried out on a minimum six monthly basis by the Holder and/or his/her authorised

representative. In relation to the carrying out of said exercise, the Holder shall retain records of the following:

- (a) the total duration of the exercise;
 - (b) detail(s) of specific instruction(s) given prior to and throughout the exercise;
 - (c) the name(s) of instructing personnel involved in the testing of the exercise;
 - (d) the outcome of the exercise and
 - (e) recommendations (if any) that require to be made to ensure the safety of all persons within the stadium in the event of a future incident occurring.
- (3) The Holder shall also give no less than fourteen days prior notice in writing of the intention to hold an exercise as per Clause 15 (2) above both to the designated Officer of the Council and to the Fire Authority.

16. **Fire Safety**

- (1) A fire safety risk assessment shall require to be carried out for the stadium at least once a year by a competent person. The outcome of the fire safety risk assessment shall be recorded in an easily retrievable manner and available for inspection by the Fire Authority and the designated Officer of the Council at all reasonable times.

- (a) The process of risk assessment will be ongoing and hereafter where there is reason to suspect that the current fire risk assessment is:
- (i) no longer valid, or
 - (ii) if there has been a significant change in the matters to which it relates,

then the assessment should be reviewed and any required changes must be made to ensure continued compliance with the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006 No 456

- (b) The Holder is obliged to provide a copy of the current Fire Risk Assessment to the designated officer of the Council. In the event that the Fire Risk Assessment is amended the Holder must provide a copy of the updated version to the designated officer of the Council within 7 days of the amendment having been made."

(2) **Emergency Fire Action Plan**

- (a) There should be a written emergency fire action plan which sets out the action that staff and other people in the premises should take in the event of a fire. It should be kept on the premises, be available in a format understood by all, as well as being known by staff and forming the basis of the training and instruction which is provided. The plan will be available for inspection by the Fire

Authority and designated Officer of the Council upon request by either or both of said parties.

- (b) The purpose of the plan is:
 - (i) to ensure that the people on the premises know what to do if there is a fire and
 - (ii) to ensure that appropriate action is taken in the event of fire and that the premises can be safely evacuated.

- (c) The plan should set out details of the procedures to be followed by staff in the event of fire and by any other persons present. It should be specific to the premises and should include:
 - (i) how people will be warned if there is a fire;
 - (ii) what staff should do if they discover a fire;
 - (iii) what staff should do in the event of a fire;
 - (iv) the arrangements for calling the Fire Authority;
 - (v) the specific action to be taken by the person in charge when the fire alarm activates or a fire is discovered;
 - (vi) the procedure to be followed to evacuate the premises, taking into account any personal emergency egress plans;
 - (vii) where persons ought to assemble or be taken after they have left the premises and procedures for checking whether the premises have been evacuated;
 - (viii) arrangements for fighting fire by staff trained in the use of portable fire extinguishers;
 - (ix) processes, machines or power supplies that need to be stopped or isolated if there is a fire;
 - (x) procedures for meeting the Fire Authority on its arrival and notifying it of the circumstances of the incident, whether all persons are accounted for and the presence of any special dangers.

(3) Information and Training

- (a) A sufficient number of competent persons should be employed at all times to enable the safe and effective evacuation of the premises. The premises' fire safety risk assessment must be reviewed, in respect of staff numbers required for evacuation of the premises, in the event of the fire.

- (b) All staff (including stewards, volunteers, performers, visiting contractors, temporary and agency staff) and other relevant persons should be given information, training and instruction on the fire safety measures to be taken or observed on the premises, including the action to be taken in case of fire. The specific fire safety training needs of any young persons employed should be considered. Training of each member of staff should take place as soon as possible after they are appointed and regularly, at predetermined intervals after that, to ensure that they remain familiar with procedures. Information should be given to staff and

to other relevant persons whenever there is a change in the risk from fire, where changes have been made to the emergency fire action plan or other fire safety measures, or where working practices or individuals' responsibilities have changed.

- (c) Staff or other relevant persons who have a supervisory role (including stewards) should be given details of the findings of the fire safety risk assessments and should receive additional training which will enable them to discharge their specific responsibility.
- (d) Such training may include the use of fire fighting equipment, basic search procedures and evacuation procedures including disabled evacuation plans/personal emergency egress plan.
- (e) All training should support the fire safety strategy and emergency fire action plan, be verifiable and be supported by management records as evidence that adequate training has been given.

(4) Maintenance and Testing

- (a) There should be recorded details of the following maintenance and testing regime. This should be carried out to the appropriate standard:-
 - (i) the emergency lighting system;
 - (ii) the automatic fire detection system;
 - (iii) staff training - routine in case of fire;
 - (iv) fire fighting equipment;
 - (v) the fire warning system and
 - (vi) fire fighting facilities – suppression, dry risers, smoke extraction etc.

17. Plans

- (1) The Holder shall have in place an up to date plan(s) to the satisfaction of the designated Officer of the Council. Said plan(s) shall be of a suitable scale and shall clearly include, but may not necessarily be limited to, delineation and identification of the following:
 - (a) the boundary of the stadium;
 - (b) the location and capacity of both entrance and exit gates as specified in Appendix 4 herein;
 - (c) the location and capacity of parking facilities and
 - (d) the location and capacity of buildings in the stadium.
- (2) The Holder shall ensure that on any occasion where there may be subsequent alteration(s) to the capacity and/or layout of any part of the stadium, one original and 6 hard copy revised colour plans or one electronic copy shall be submitted to the designated Officer of the Council within a reasonable timeframe of said alteration(s).

18. Right to Inspect

The designated Officer of the Council reserves the right, upon reasonable request by him/her, to inspect the whole of the stadium or any part thereof for any reason it so determines. This right is without prejudice to section 11 of the Act. The Holder shall comply with said request so far as reasonably practicable, and shall submit to the designated Officer of the Council, within fourteen clear days of said request, any relevant records held by him/her as specified and requested by the designated Officer of the Council.

19. **Media**

- (1) The Holder shall ensure that media companies provide him/her with risk assessment method statements and design calculations for any installations that may be in place during a specified activity in accordance with Chapter 19 of the Guide.
- (2) All media provision at the stadium will meet, so far as reasonably practicable, the required standards detailed in Chapter 19 of the Guide.
- (3) The Holder will have in place a site specific risk assessment in relation to both temporary and permanent media provision ('media risk assessment') which shall be undertaken in accordance with Chapter 19 of the Guide. Said media risk assessment shall include a layout plan detailing clearly, where applicable, the following:
 - (i) the location of parking spaces allocated for vehicles that are operated/used by media personnel;
 - (ii) the location(s) where media cable runs will be placed and those location(s) where it is anticipated that cable runs may be placed;
 - (iii) the positioning of camera gantries both temporary and permanent;
 - (iv) the positioning of temporary advertising boards;
 - (v) the location of temporary scaffolding that is intended for use in relation to media provision and
 - (vi) the location of temporary barriers that may be in use to protect, for example, various media installations.
- (4) The Holder must submit to the designated Officer of the Council the media risk assessment including layout plan as per sub clause 3 above no later than 31 July each year.
- (5) If the designated Officer of the Council requires further clarification and/or detail in respect of the media risk assessment and/or the layout plan therein, then the Holder will require to submit that information within a reasonable timeframe to the designated Officer of the Council upon reasonable request by him/her.
- (6) Any proposed alterations or extensions to any media installations that are likely to affect the safety of persons at the stadium must be notified to the designated Officer of the Council prior to the carrying out of those proposals. Also see Clause 32 of this Certificate in relation to alterations or additions to be made to any part of the stadium, its buildings, structures and/or installations.
- (7) Any proposed alterations to the layout plan as per sub clause 3 above must be notified to the Council prior to the carrying out of those alterations.
- (8) Media structures and/or equipment shall not be permitted at any time to cause any obstruction to the police or emergency services during the performance of their usual duties. The positioning of said structures and/or equipment shall not at any time compromise spectator safety.
- (9) All media personnel shall be equipped with a uniform, high visibility tabard which shall be worn at all times when spectators are admitted to and remain

within the stadium. Said tabard shall clearly distinguish media personnel from stewards, the police, emergency services and any other safety personnel that may be present within the stadium during a specified activity.

20. **Equality Act 2010**

The Holder shall ensure that s/he and all relevant stadium personnel take reasonable steps to ensure compliance, so far as reasonably practicable, with the Equality Act 2010. Said steps shall include, so far as reasonably practicable, the provision of suitable accommodation for disabled spectators to a satisfactory standard acceptable to the designated Officer of the Council. The Holder shall ensure that said accommodation is designed to required safety standards and properly managed. Any alteration(s) which may require to be made to any part of the stadium should not reduce the provision of facilities for disabled spectators and shall require the prior written consent of the designated Officer of the Council.

21. **Auxiliary Power System**

- (1) The Holder shall provide an alternative electricity supply ('auxiliary power system') which shall function for a minimum period of three hours in the event of failure of the normal supply to the following installations: emergency lighting; escape lighting; emergency telephone; fire alarm; CCTV system; turnstile monitoring system; public address system; mechanical ventilation system; control room(s); evacuation lift(s) and the First Aid rooms.
- (2) The Holder shall also have in place a report specifying in full the functioning of the auxiliary power system and how it operates in relation to the failure of normal power supply. In particular, said report shall include the circumstance(s) in which the system becomes operative and the duration of said system in the event of power failure. Any amendments made to this report subsequent to the execution of this Certificate must be notified to the designated Officer of the Council within a reasonable timeframe of the making of said amendments. In the event that the designated Officer of the Council may not be satisfied with the contents of said report, s/he reserves the right to make any recommendations to the Holder to improve the functioning or otherwise of the auxiliary system and the Holder shall, so far as reasonably practicable, implement those recommendations within a reasonable timeframe.

22. **Control Room and Secondary Control Room**

- (1) The Holder shall provide and maintain at his own expense, and so far as reasonably practicable, the following accommodation and facilities for use by Police Officers on duty:
 - (a) a Control Room which commands a clear view of the whole stadium, pitch and environs. Said Control Room shall be of a sufficient size to enable the Chief Constable and his/her Police Officers (the required number of which shall be determined by the Chief Constable) to operate any equipment as the police may require to enable them to discharge their functions. It is desirable

that the Control Room also contain capacity for any other relevant persons who may be in attendance and

- (b) physically separate from the Control Room, suitably heated, clean accommodation with toilet facilities for the detention and interviewing of persons; an adequate refreshment room for the use of Police Officers on duty and any other accommodation that may be so required by the Chief Constable.
- (c) in the event that the Control Room as per Clause 22(1)(a) above becomes unusable and/or ceases to be fit for purpose for any reason, management shall provide a Secondary Control Room which shall meet the criteria detailed in Clause 22(1)(a) above so far as reasonably practicable. The location of the Secondary Control Room shall be agreed between the Chief Constable and the Holder and the designated Officer of the Council shall be the ultimate arbiter in the event of any dispute with regards to the determination of said location. The Holder shall also ensure that the Control Room team are able to discharge their required functions to full effect whilst utilising the facilities in the Secondary Control Room. Whilst the Secondary Control Room is in use for its purpose, the Holder shall ensure that at all times the safety and well being of all persons within the stadium shall not be compromised or threaten to become compromised in any way by said use.

23. **Tickets**

The Holder shall ensure that all tickets for admission to a specified activity shall not be available for sale at any place within a two hour period in the event of an all ticket activity. The number of tickets issued for each part of the stadium shall also not exceed the permitted capacities as specified in Appendix 2 herein. Every ticket shall clearly specify the turnstile or entrance gate by which the ticket holder may enter the stadium. A simple understandable plan of the stadium clearly indicating the position of turnstiles and/or entrance gates shall also be displayed on the reverse of all tickets. It is also recommended that the Holder has in place effective anti-counterfeiting features to ensure the validity of a ticket.

24. **Turnstiles/Entrance gates**

The Holder shall close all turnstiles or entrance gates to any part of the stadium when the attendance limit for that part is reached. The Holder and/or his/her authorised representative(s) shall also open and/or close any turnstile and/or entrance gate immediately upon instruction from the Chief Constable.

25. **Drink containers**

Whilst the stadium is in use for a specified activity, all containers in which permitted drinks are consumed shall be made of soft plastic or other similar material and shall be of such a construction that, if they were thrown at or propelled against any person, they would not be capable of causing any injury to that person. The Chief Constable reserves the right to determine the suitability or otherwise of said material and to direct the Holder to alter the type of material

and/or the construction of the container should he be so minded. This requirement shall only apply to a relevant area as defined in section 23 Criminal Law (Consolidation) (Scotland) Act 1995.

26. **Communication systems**

The Holder shall provide effective communication systems both in accordance with Chapter 16 of the Guide and to the satisfaction of the designated Officer of the Council. In particular, the Holder shall ensure that said system provides clear communications between the police, the safety management team (in particular both the Safety Officer and Deputy Safety Officer), stewards and other safety personnel, first aid attendants, the crowd doctor, spectators both inside and outside the stadium and any other relevant person(s) that may be so determined by the Chief Constable. The Holder shall also ensure that, so far as reasonably practicable, the public address system meets the requirements of Chapter 16.14 of the Guide. CCTV facilities shall also meet the operational requirements as determined by the Chief Constable for the policing of specified activities.

27. Maintenance

The Holder shall comply with the requirements of Appendix 3 herein. The Holder shall also ensure that all buildings, structures, means of ingress and egress, installations including electrical, mechanical and heating are at all times kept free from any obstruction and are maintained in such repair so that they do not at any time compromise spectator safety. Said obligation may be subject to an approved deviation as detailed in Clause 4 above.

28. Ingress and Egress

All entry and exit points at the stadium shall be clearly marked on the plan(s) annexed to this Certificate. Means of ingress and egress shall be compliant with Chapters 7 and 10 in the Guide, so far as reasonably practicable. Advertising boards shall not at any time impede entry and/or exit onto the pitch.

29. Identifiable Hazards

In the event that any adverse weather conditions or otherwise give rise to a reasonable concern that any surface, whether within and/or outwith the stadium, may pose a danger to those spectators who may have reasonable cause to pass, then the Holder shall ensure that any identifiable hazard(s) are fully cleared without delay to enable the safe passage of spectators over said surface.

30. Pre-activity notice for admission

The Holder shall ensure that, not less than three hours before each specified activity, the Safety Officer or his authorised representative shall confirm in writing to the Chief Constable that spectators may be safely admitted to, and remain within, the stadium for the duration of that specified activity.

On any occasion when it has been determined that an activity is to be “Category CS” – Club security only or “police free” the Holder shall ensure that no later than three hours prior to the stadium being opened for the admission of spectators, the Safety Officer or his authorised representative shall confirm in writing to the Designated Officer of the Council that spectators may be safely admitted to, and remain within, the stadium for the duration of that specified activity. In this section confirmation in writing may be effected by e-mail and addressed to the Litigation and Licensing team, Aberdeen City Council. For the avoidance of doubt, the responsibility for the safety of the spectators remains solely with the Holder.

31. Barriers

In addition to the undertaking of the barrier risk assessment and testing obligations as specified in Appendix 3, the Holder shall ensure that a suitably qualified person re-inspect the functioning of all barriers as he may deem necessary (‘spot checks’), as part of the general maintenance and safety checking of the stadium. Upon identification of any deterioration and/or change(s) in the functioning of said barriers following spot checks, the Holder shall ensure that any defect(s) are rectified immediately. The Holder shall also submit a written report plus two copies without delay to the designated Officer of

the Council detailing in full said defect(s) and any action that he proposes to take and will take to rectify those defects.

32. **Alterations**

No alteration or addition shall be made to any part of the stadium, its buildings, structures and/or installations, whether permanent or temporary, which is likely to affect the safety of persons at the stadium, without the prior written consent of the designated Officer of the Council. Execution of any work for which consent has been granted shall require to be carried out to the reasonable satisfaction of the designated Officer of the Council.

33. **First Aid and Medical Facilities**

- (1) The Holder shall provide and maintain within the stadium, to the reasonable satisfaction of the Environmental Health Service, suitably equipped First Aid and medical facilities. There shall be a minimum of one suitably trained first aider for every one thousand spectators and a minimum of two suitably trained first aiders in attendance at each event. The Holder shall ensure that a suitably trained first aider is one who holds the certificate of first aid issued under the Health and Safety (First Aid) Regulations 1981. The role of first aiders shall include those specifications listed in Chapter 18.11 of the Guide.
- (2) The Holder shall ensure that a medical risk assessment from a competent person or organisation is undertaken in accordance with Chapters 18.1 and 18.2 of the Guide. A written medical plan shall also be produced by the Holder in accordance with Chapter 18.3 of the Guide. A copy of said medical plan shall be kept in the First Aid room(s) and shall be available for inspection by an authorised person and/or the designated Officer of the Council upon request.
- (3) When the number of spectators is expected to exceed the sum of 2,000, the Holder shall ensure the presence of at least one doctor who is qualified and experienced in pre-hospital immediate care ('the crowd doctor'). The crowd doctor should be present at the ground prior to the turnstiles/entry gates being opened, and remain until such time as all spectators have vacated the ground. The whereabouts of the crowd doctor should be known to all first aid and ambulance staff and s/he ought to be positioned at an easily identifiable site where s/he is readily accessible to first aiders and where s/he can move with ease to any part of the stadium. In the event that there are two or more crowd doctors present in the stadium, it is desirable that they are not located together but stationed at strategic points within the ground. The crowd doctor shall at all times be readily identifiable by means of a high visibility tabard with 'DOCTOR' on both the front and back. The Holder shall be responsible for supplying communications equipment to the crowd doctor to enable him/her to be immediately contacted should it be so required. The Holder shall ensure that the crowd doctor has full working knowledge of all the following:
 - (a) the layout of the stadium and location of exit and entry gates;
 - (b) the location and staffing arrangements of the First Aid room;
 - (c) details of ambulance cover;

- (d) the equipment that is available for treating medical cases and the location of that equipment;
- (e) the local emergency plans prepared by emergency services for dealing with major incidents and how these relate to contingency plans for the ground and
- (f) the general pattern of crowd movement during an event.

34. **Ambulance**

- (1) Subject to the written approval of the general manager of the Scottish Ambulance Service, the Holder shall ensure the provision and attendance of at least one fully equipped ambulance staffed at paramedic level at all events with an anticipated attendance of 5000 or more. The Holder shall also ensure, so far as reasonably practicable, the attendance of the ambulance(s) at the stadium prior to the admission of spectators. The role of the ambulance(s) shall also be clearly identified in the written medical plan.
- (2) The attendance of first aid, ambulance and any other type of medical personnel shall not be necessary when members of the public are admitted to the stadium for the sale of tickets only.

35. **Legislation**

Management shall take all reasonable steps to ensure that they are aware of the general impact of the following, non exhaustive list of legislation:

- (a) Building (Scotland) Act 2003;
- (b) Civil Contingencies Act 2004;
- (c) Criminal Law (Consolidation) (Scotland) Act 1995;
- (d) Equality Act 2010;
- (e) Fire Safety (Scotland) Regulations 2006;
- (f) Fire (Scotland) Act 2005;
- (g) Health and Safety at Work etc. Act 1974;
- (h) Licensing (Scotland) Act 2005
- (i) Safety of Sports Grounds Act 1975 as amended and
- (j) Any other relevant legislation that may have safety implications for spectators and relevant personnel at the stadium both pre and during a specified activity.

- 36. This Certificate is issued without prejudice to any legislation that may place any statutory obligation(s) upon the Holder.

- 37. This Certificate is a live document and may be amended at any time by the designated Officer of the Council. The previous Certificate, effective from 16 June 2016 is replaced by this Certificate with effect from 20 June 2018. The Council will review this Certificate annually.

Signed: _____

Designation: _____

Place of Signing: _____

Date: _____

Witness: _____

Designation: _____

SPECIFIED ACTIVITIES

1. Specified activities:

- (a) Association Football;
- (b) Rugby Union;
- (c) Gatherings to celebrate the winning of any honours by the Holder's football team and
- (d) Other sporting event(s) attended by more than 500 spectators.

Subject to the terms and conditions of this Certificate and to any statutory requirements, the stadium may also be used for the following activities ancillary to the specified activities above:

- (e) the playing of music or singing;
- (f) the provision of news or comment relative to the primary activities;
- (g) the sale of tickets for forthcoming activities and the sale of programmes, news sheets and souvenirs;
- (h) the sale and consumption of refreshments;
- (i) public collections of any nature; and
- (j) any other ancillary activity for which the Holder must obtain prior written approval from the designated Officer of the Council no less than 14 clear days prior to the holding of said ancillary activity.

The activities covered by this Certificate shall not include practice or training sessions for the specified activities to which not more than 500 non-paying spectators are admitted.

This page forms Appendix 1 referred to in the foregoing Safety Certificate

Signed: _____

Witness: _____

Date _____

MAINSTAND	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	SERIOUSLY RESTRICTED VIEW ACTUAL SEAT NUMBERS	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	ACTUAL REMOVED
A	300	2	A1; B1	298	0	269	29	34
B	783	10	A46; A47; B46; B47; A36; A37; A38; B36; B37; B38	773	0	698	75	49
C	593	4	A11; B11; C11; D11	589	0	532	57	46
DIRECTORS	117	3	A21; B21; C21	114	0	103	11	0
D	473	6	A24; A25; B24; B25; C24; C25	467	0	422	45	17
E	694	12	A13; A14; A15; A42; A43; A44; B13; B14; B15; B42; B43; B44;	682	0	616	66	102
F	640	6	A29; A30; A31; B29; B30; B31	634	0	573	61	109
AFC	109			109	0	98	11	0
EXEC BOXES	192			192	0	173	19	19
TOTAL STAND CAPACITY	3901	43	{We must remove these seats before P&S factor is applied}	3858	0.903	3483	374	376
MERKLAND	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	SERIOUSLY RESTRICTED VIEW ACTUAL SEAT NUMBERS	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	ACTUAL REMOVED
GENERAL	3532	95	ROW 'H' SEATS 48 - 52 AND SEATS 100 - 104 INCLUSIVE	3437	0	3368	69	69
WHEELCHAIR	6		ROW 'J' SEATS 48 - 52 AND SEATS 100 - 104 INCLUSIVE	6	0	6	0	0
			ROW 'K' SEATS 47 - 51 AND SEATS 100 - 104 INCLUSIVE					
			ROW 'L' SEATS 46 - 51 AND SEATS 100 - 104 INCLUSIVE					
			ROW 'M' SEATS 43 - 51 AND SEATS 100 - 104 INCLUSIVE					
			ROW 'N' SEATS 43 - 50 AND SEATS 100 - 104 INCLUSIVE					
			ROW 'O' SEATS 42 - 50 AND SEATS 101 - 104 INCLUSIVE					
			ROW 'P' SEATS 41 - 50 AND SEATS 103- 104 INCLUSIVE					
			ROW 'Q' SEATS 49 - 50 INCLUSIVE'					
TOTAL STAND CAPACITY	3538	95	{We must remove these seats before P&S factor is applied}	3443	0.98	3374	69	69
SOUTH STAND SCENARIO #1	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	ALL AWAY SUPPORT OCCUPYING SOUTH STAND UPTO AND INCLUDING SECTION R	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	ACTUAL REMOVED
P	656	0		656	0	633	23	79
Q	783	84	x 84 Removed due to disabled seating new roof in front of section	699	0	675	24	0
WHEELCHAIR	13	0		13	0	13	0	0
R	795	0		795	0	767	28	0
S	862	0		862	0	832	30	0
T	958	0		958	0	924	34	0
V	832	0		832	0	803	29	0
W	956	0		956	0	923	33	0
X	1193	0		1193	0	1151	42	0
Y	1107	0		1107	0	1068	39	224
TOTAL STAND CAPACITY	8155	84		8071	0.965	7789	282	303
SOUTH STAND SCENARIO #2	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	HOME FANS ONLY OCCUPYING WHOLE OF SOUTH STAND	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	ACTUAL REMOVED
P	656	0		656	0	633	23	306
Q	783	84	x 84 Removed due to disabled seating new roof in front of section	699	0	675	24	0
WHEELCHAIR	13	0		13	0	13	0	0
R	795	0		795	0	767	28	0
S	862	0		862	0	832	30	0
T	958	0		958	0	924	34	0
V	832	0		832	0	803	29	0
W	956	0		956	0	923	33	0
X	1193	0		1193	0	1151	42	0
Y	1107	0		1107	0	1068	39	0
TOTAL STAND CAPACITY	8155	84		8071	0.965	7789	282	306
RICHARD DONALD STAND	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	NO SERIOUSLY RESTRICTED VIEWS	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	
FRONT	1700	0		1700	0	1700	0	
REAR	1216	0		1216	0	1216	0	
UPPER DECK	3164	0		3164	0	3164	0	
DISABLED	20	0		20	0	20	0	
EXEC BOXES	120	0		120	0	120	0	
TOTAL STAND CAPACITY	6220	0		6220	1	6220	0	
PITTDORIE STADIUM	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW		USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	ACTUAL REMOVED
TOTAL STADIUM CAPACITY	21,814	222	REMOVE SERIOUSLY RESTRICTED TO GET USEABLE CAPACITY	21,592	APPLIED FOR HOLDING	20,866	725	748

MERKLAND STAND				MAINSTAND SECTION A					MAINSTAND SECTION B					MAINSTAND SECTION C					MAINSTAND SECTION D					MAINSTAND SECTION E					MAINSTAND SECTION F										
ROW	FROM	TO	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED						
J	106	105	seats held	A	1	5	5	seats held	A	46	47	2	seats held	A	11	13	3	seats held	A	24	25	2	seats held	A	11	15	5	seats held	A	23	31	9	seats held						
K	106	108	seats held	B	1	8	8	seats held	B	46	47	2	seats held	A	36	40	5	seats held	B	24	25	2	seats held	A	40	44	5	seats held	B	21	31	11	seats held						
L	107	110	seats held	C	8	11	4	seats held	C	46	47	2	seats held	B	11	14	4	seats held	C	1		1	seats held	B	8	16	9	seats held	C	21	31	11	seats held						
M	109	112	seats held	D	11	15	5	seats held	D	1	2	2	seats held	B	35	42	8	seats held	C	19	20	2	seats held	B	39	45	7	seats held	D	30	31	2	seats held						
N	110	112	seats held	E	14	17	4	seats held	D	17		1	seats held	C	11		1	seats held	C	24	25	2	seats held	C	4	17	14	seats held	E	31	32	2	seats held						
O	112	113	seats held	F	17	20	4	seats held	D	31		1	seats held	C	15	16	2	seats held	D	1	2	2	seats held	C	35	45	11	seats held	E	42	44	3	seats held						
O	114	115	seats held	G	17	20	4	seats held	D	46	47	2	seats held	C	33	45	13	seats held	D	17	19	3	seats held	D	1	4	4	seats held	F	31	32	2	seats held						
P	114	118	seats held				34		E	1	5	5	seats held	D	11		1	seats held	E	3		1	seats held	D	32	34	3	seats held	F	39	41	3	seats held						
Q	114	118	seats held						E	16		1	seats held	D	16	17	2	seats held	F	4	5	2	seats held	E	1	3	3	seats held	G	3	11	9	seats held						
R	114	121	seats held						E	31	34	4	seats held	D	32	33	2	seats held				17		K	1	45	41	seats held	H	3	11	9	seats held						
S	114	121	seats held						E	45	47	3	seats held	E	31	32	2	seats held									102		J	3	11	9	seats held						
T	114	121	seats held						F	4	6	3	seats held	F	30	31	2	seats held											J	16	18	3	seats held						
V	114	121	seats held						F	16		1	seats held	G	30		1	seats held											K	3	12	10	seats held						
W	119	121	seats held						F	35	38	4	seats held				46												K	16	18	3	seats held						
X	119	121	seats held						F	45	46	2	seats held						*****All seats removed from sale - hold codes applied*****																L	3	12	10	seats held
									G	7	10	4	seats held																M	3	12	10	seats held						
									G	15		1	seats held																M	16	18	3	seats held						
									G	39	40	2	seats held																			109							
									G	45	46	2	seats held																										
									H	41	45	5	seats held																										
												49																											

SOUTH STAND				SOUTH STAND				SOUTH STAND				SOUTH STAND			
SECTION P (ALL GAMES)				SECTION Q (ALL GAMES)				SECTION Y (ALL GAMES)				SECTION P (EURO GAMES & CONCERTS)			
ROW	FROM	TO	COMPLETED	ROW	FROM	TO	COMPLETED	ROW	FROM	TO	COMPLETED	ROW	FROM	TO	COMPLETED
E	29	12	seats held	E	32	59	seats held	A	280	296	seats held	E	12	18	seats held
F	29	12	seats held	F	32	59	seats held	B	279	297	seats held	F	12	18	seats held
G	29	11	seats held	G	32	59	seats held	C	278	298	seats held	G	11	18	seats held
H	29	11	seats held					D	278	299	seats held	H	11	18	seats held
HH	3	7	seats held					E	277	300	seats held	I	11	18	seats held
								F	276	301	seats held	J	10	18	seats held
								G	276	302	seats held	K	10	18	seats held
								H	275	304	seats held	L	10	18	seats held
								J	274	304	seats held	M	9	18	seats held
								K	302	305	seats held	N	9	18	seats held
								PP	277	285	seats held	O	8	18	seats held
												P	8	18	seats held
												Q	8	18	seats held
												R	7	18	seats held
												S	7	18	seats held
												T	6	18	seats held
												V	6	18	seats held
												W	5	18	seats held
												X	5	18	seats held
												Y	4	18	seats held
												Z	4	18	seats held
												AA	3	18	seats held
												BB	3	18	seats held
												CC	3	18	seats held
												DD	2	18	seats held
												EE	2	18	seats held
												FF	1	18	seats held
												GG	1	18	seats held
												HH	3	18	seats held
74				84				228							

This page and the two preceding pages form Appendix 2 referred to in the foregoing Safety Certificate

Signed: _____

Witness: _____

Date _____

TABLE OF INSPECTING, TESTING, AND KEEPING OF RECORDS FOR THE STADIUM

The Holder shall ensure that all necessary maintenance, inspections and tests are carried out in accordance with the Guide's recommendations, current British Standards and manufacturer's instructions.

Records of said maintenance, inspections and tests should be kept in a specified place at the ground or in the management's office for a minimum period of five years or longer if so required by British Standards or manufacturer's instruction. Said records shall also be kept in accordance with Chapter 5.15 of the Guide. It is also recommended that a back-up copy of these records be kept securely off site.

Notwithstanding the record keeping obligations incumbent upon the Holder as per this Appendix 3, the Holder will require to submit within a reasonable timeframe to the designated Officer of the Council, upon reasonable request by him/her, a report(s) detailing the outcome of any one or more of the inspections detailed in 'a' to 'p' below.

the Guide's Recommendations	Chapter of the Guide	Test Method	Frequency of testing	Form of Record kept
a) The operation of structures, installations and components should be inspected and tested by competent persons	5.9	Appraise as required to determine suitability for purpose	At least 24 hrs before an event	Log book signed by Safety Officer or Deputy Safety Officer at each event
b) The general condition of all facilities should be checked, and any details and/or shortfalls immediately rectified prior to public entrance	5.10	As required	Within 24 hrs prior to an event	Log book with remedial works dates signed by Safety Officer or Deputy Safety Officer at each event
c) Ground should be inspected to identify potentially dangerous damage that requires remedial action	5.12	Visual inspection	After an event	Maintenance records
d) Detailed inspection of all structures, installations and components should be carried out by competent persons with appropriate qualifications and experience. Materials defining key elements and components of the	5.13 and 5.14	Appraise as required to determine suitability for purpose	every six months	Written report and manuals

structure requiring regular inspection and maintenance of the structure should be provided. Structural dynamics for permanent structures should be appraised				
e) Ingress monitoring systems should be tested and turnstile flow rates reviewed in accordance with the Guide's recommendations	7.1 - 7.7 inclusive	Manufacturers' instructions	Annually	Computerised monitoring records
f) Highlighting of nosings to steps / stairs /change in level / gangways in a non-slip material, should be included in a continuous maintenance programme	8 .3 and 12.11	Visual inspection	As required	Maintenance records
g) Barriers should be risk assessed and tested in accordance with the newly revised procedure in the Guide	11	As specified by the Guide	Annually	Written report
h) Inspect and test fire alarm and detection systems	15	Fire alarm weekly; Maintenance every six months		Inspection certificate and log book
i) Inspect and test fire extinguishing systems	15	In accordance with the manufacturers' instructions		
j) All electrical and mechanical installations should be inspected and tested by competent persons	17.3	Manufacturers' instructions or relevant British Standard	Annually or as required by Manufacturer or British Standard	Inspection certificates and Log book
k) Inspect and test all auxiliary and back up power systems	16.25, 17.11, 17.12, and 17.18	BS 7671:2001 and any manufacturers' instructions	As required by BS	Log book/maintenance records
l) (i)Inspect and test passenger lifts	17.14	BS 5655 Part 10.1986	As per chapter 12.4 of BS	Log book and periodic inspection

				and test certificates
(ii) Inspect and test public address system	16.14 and 16.15	24 hours prior to a specific event	24 hours prior to a specific event	Log book/maintenance records
(iii) Inspect and test CCTV system	16.16, 16.17 and 16.18	24 hours prior to a specific event	As required by designer/installer	Log book/maintenance records
m) Inspect and test ventilation, air conditioning and smoke control systems	17.18	Manufacturers' instructions or relevant British Standard	Annually	Log book/maintenance records
n) Necessary communication systems should be tested and maintained in accordance with British Standards or manufacturer's instructions.	16.1	Manufacturers' instructions or relevant British Standard	Annually	Log book/maintenance records
o) Risk assessment for media provision	19	Appraise as required to determine suitability	As required	Log book , risk assessments, structural certification
p) Assessment of capacity	2	As specified by the Guide	Annually and when there is a change as per chapter 2.4	Written report/risk assessment

This page and the two preceding pages form Appendix 3 referred to in the foregoing Safety Certificate

Signed: _____

Witness: _____

Date _____

LOCATION OF ENTRANCE AND EXIT GATES

(a) Location of entrance gates

STADIUM STAND	REFERENCE NUMBER/LETTER ON PLAN	POINT WHICH ACCESS IS PROVIDED	FROM TOTAL NUMBER OF TURNSTILES AT STAND
Main Stand	23-31	Pittodrie Street	9*
Richard Donald Stand	32-43	Golf Road	12
Merkland Road Stand	9-22	Merkland Lane	14
South Stand	44-53	Park Road (via private road)	10
South Stand	1-8	Merkland Lane	8

(b) Location of exit gates

STADIUM STAND	REFERENCE NUMBER ON PLAN	WIDTH OF EXIT GATE IN METRES
South Stand	1	5.00
South Stand	2	4.90
South Stand	15	5.00
Merkland Road Stand	3	6.75
Merkland Road Stand	4	4.80
Main Stand	5	3.36
Main Stand	<i>Corp boxes**</i>	1.10
Main Stand	6	2.65
Main Stand	7	2.30
Richard Donald Stand	8-14	3.20

This page forms Appendix 4 referred to in the foregoing Safety Certificate

Signed: _____

Witness: _____

Date _____

ABERDEEN FOOTBALL CLUB

Further Deviations from (Fifth Edition) The Green Guide

Clause	Standards Provided	Granted on the Basis that
7.8	Design and Management of Entrance and Exit Routes Automated turnstiles would appear to be a deviation	The turnstiles are continually monitored in the Control Room Turnstile Supervisors monitor a bank of turnstiles internally. They also monitor a lighting system which indicates if there is a fault on the entry system Stand Reps Steward and Turnstile Supervisors all carry over ride cards and have the authority to override the computerised system in the event of fault or emergency.
7.10	Admission Policies para g) The only section of the ground that unreserved seating is offered is the away section	<p>Posters with instructions of how the system works will be on display at the turnstile entrance or alternatively on the turnstile top. The AFC's, (in association with the Scottish Football Association) Ground Rules are displayed throughout the ground.</p> <p>With regards to unreserved seating, this is undertaken on a game to game basis based on intelligence from the visiting club as to number of expected supporters. Taking this into consideration and to minimise any confrontations, the visiting support are allocated specific sections of the away stand. The ticket indicates the section in the away stand that they can occupy and shows row and seat number. For unallocated seating games tickets are clearly stamped unallocated and signage provided at turnstiles along with all details posted on both AFC and opposing team's websites. There is always procedures in place to open up other parts of the away section should the designated away section become full or overcrowded.</p> <p>If any part of the away section becomes full then another part of the away section would be open up.</p> <p>The Club maintain and hold off sale at all time's emergency</p>

		seating areas along with the required seats along with the required seats taken off sale and identified by the P & S factors annual audit, in any instance the club will retain 5 – 10% of the total capacity of the section. This is controlled and monitored by the Stewards and Control Room Staff
8.4	<p><u>U Flights of Stairways</u> Pittodrie Stadium is an existing situation. Compliance with 8.4 para. b) Cannot be fully achieved particularly in the Main Stand.</p>	<p>Due to the stadium's age and design the stairs in the South and Merkland Stands exceed 36 risers without any landings, and without any 30° change of direction. There are varying numbers of risers in the South Stand and in the Merkland Stand. The risers are clearly highlighted are variances in height of risers but all stairs are monitored by stewards during an event.</p> <p>Due to the stadium's age and design the risers in the interior and exterior stairs in the Main Stand have a variance in height. The risers are clearly highlighted and are monitored by stewards during an event for the smooth control and flow of the crowd. Stewards are strategically position on the stairways which are kept clear during the event. In addition, crowds should not be allowed to congregate in the walkways but should be managed and monitored by stewards.</p> <p>The Stairway width at Row A in the Main Stand in Sections D, E & F is less than the recommended 1.1m but there is sufficient room for two persons to leave the exit at the same time and within the agreed evacuation time.</p>
8.5.d	<p><u>Dimensions of Stairways Landings</u></p> <p>The going of each landing, at the foot of stairways should not be less than the width of the channel of the flight.</p> <p>Due to the addition of LED advertising boards along the Mainstand trackside compliance with 8.5 paragraph d cannot be fully achieved. The landings at the foot of the stairways of Gates 33 and 36 are restricted when the LED advertising boards are closed.</p>	<p>Management recognise this deviation and have adopted a stewarding strategy as follows:</p> <p>Continually stewarded before and after gates open to the stadium and before any member of the public enter the grounds.</p> <p>The gates have a minimum clear opening width of 1.5m</p>
8.9	<p><u>Controlling the Flow at the Head of Stairways</u> Pittodrie Stadium is an existing situation. Compliance with 8.9 para b and d, cannot be fully achieved particularly in the</p>	It is considered that the direction of barriers to control the flow at the head of the

	Main Stand.	stairs would have a detrimental effect on the spectator circulation through the concourses. These particular areas are signed accordingly and monitored by appropriately trained and qualified stewards who do not allow persons to congregate there and who control capacity and flow
9.4	<u>Size of Concourses</u> Pittodrie Stadium is an existing situation, and historically the concourses have been upgraded to provide spectator catering and welfare facilities. The width and spatial arrangements of the concourses vary from stand to stand and from level to level.	Management have mitigated against this by the provision of stewarding and CCTV coverage. in the direction identified
9.5	<u>Circulation on Concourses</u> Pittodrie Stadium is an existing situation and compliance with 9.5 para a) b) and c) cannot be fully achieved particularly in the Main, Merkland and South stands.	Management have mitigated against this by stewarding at particular flow problem areas within the concourses, and by delineating queuing areas for the catering and welfare facilities. Floor markings, directional arrows and the implementation of an educational policy, explaining to supporters the reason for queuing. A designated clearway for non catering personnel will be developed which will be stewarded and the spectator flow controlled.
9.6	<u>Design of Concourses and Related Facilities</u> Management has endeavoured to upgrade the specification of the concourses to achieve compliance. The Main and South Stands catering facilities have manual shutters which are removed prior to the kiosks opening. The Main Stand is protected by smoke alarms. Fire extinguishers are available - all kiosks. The Merkland Stand kiosk has a pair of manually operated shutter doors which isolate the catering unit.	In recent years sections of the first floor concourse in the Main Stand have been lined with plasterboard to enhance the fire resistance of the existing structure. Only slow cooking takes place with no deep fat frying, and staff are fire trained and stewards monitor the kiosks during activities The staff are fire trained and the kiosk is monitored by stewards. Fire extinguishers are provided. Only slow cooking takes place with no deep fat frying.
10.2	<u>Basic Design Principles</u> We are aware of reservoir area within the timber structure of the Main Stand.	At the specific narrowing of an exit route it must be preceded by an open space or reservoir area of the appropriate holding capacity otherwise this will be deemed to be a deviation. However the reservoir areas identified in the Main Stand are stewarded as the crowd exit for

		a steady smooth exit minimising delays. A steward to be placed at bottom of stairs to prevent any person going back up against the crowd flow.
10.8	Design and Management of Exit Systems Persons queuing at the recess catering outlet in the Main Stand and Richard Donald obstruct free passage flow	The recessed catering outlets in the Main Stand are monitored by stewards and stand representatives during an event, the introduction of physical barriers would impede the flow to the clearly marked exits. Signage at painted floor areas is to be implemented to encourage and educate persons to queue across the kiosk and not perpendicular to same.
10.16	<u>Exit Doors and Gates</u>	Exit Gate 5 in the Main Stand is of the sliding type and is staffed by a Steward at all times during an event. The Steward is authorised to open the gate at his discretion and without further instructions and is in radio contact with the Control Room should he request to be relieved at any time.
10.17	<u>Electronic Security Systems</u> Gate 6, Main Stand has an electronic security operating system, and management have arranged for trained stewards to be positioned there, in compliance with para b).	This gate is staffed by a Steward at all times during an event. The gate is capable of being de energized by the Steward. It is also connected to the Fire Alarm and is automatically de-energised when the Fire Alarm is actuated. The steward is authorized to open the gate at his discretion and without further instruction. The Steward is in radio contact with the Control Room should he request to be relieved at any time
12.9	<u>Gangways in Seated Areas - General</u> Pittodrie Stadium is an existing situation and compliance with 12.9 paras a) b) and c) cannot be fully achieved particularly in the Main Stand.	Management have mitigated against this by appropriate stewarding at particular problem areas During evacuation exercises the egress time have been unaffected
12.11	<u>Radial Gangways in Seated Areas</u> Pittodrie Stadium is an existing situation and compliance with 12.11 a) and b) cannot be achieved in the Main, Merkland and South Stands.	Management have mitigated against this by stewarding of the gangways and by painting contrasting coloured nosings to the steps to highlight them.
12.16	<u>Number of Seats in a Row</u> There are seating rows within the Main Stand which do not comply with this clause.	Aberdeen Football Club is aware of this and monitor the situation. Spectators are familiar with the situation and

		<p>they self - police this by choosing which way to exit. Stewards in attendance will control the flow of spectators. During evacuation exercises there has been no hold up and the egress time was unaffected</p>
15.11	<p><u>Restriction of Fire Growth and Spread</u> The Richard Donald Stand, being relatively modern complies within the Guide in respect of Restricting Fire Growth and Spread.</p> <p>The Main and South Stands catering facilities have manual shutters which are removed prior to the kiosks opening.</p> <p>The Main Stand is protected by smoke alarms. Fire extinguishers are available.</p> <p>The Merkland Stand kiosk has a pair of manually operated shutter doors which isolate the catering unit.</p>	<p>Whilst having no spectator useable accommodation under the south and Merkland Stands, there are catering facilities which open onto the spectator areas and these are protected and isolated by 30 minute fire resisting shutters.</p> <p>The Main Stand is the least compliant. AFC in consultation with Building Control. and Scottish Fire and Rescue Service has endeavoured to mitigate this by the provision of 1 hour Fire resistant doors within the concourse areas. The Richard Donald and Main Stands are fully fitted with smoke/fire detection and alarm systems</p> <p>Only slow cooking takes place with no deep fat frying, and staff are fire trained and stewards monitor the kiosks during activities</p> <p>The staff are fire trained and the kiosk is monitored by stewards. Fire extinguishers are provided. Only slow cooking takes place with no deep fat frying.</p>
15.12	<p><u>Fire Resistance in Existing Construction</u> Pittodrie Stadium is an existing situation, and the Main Stand presents particular problems</p>	<p>Management have recognised this and have carried out significant upgrading of the fire resistance elements of construction, particularly the fire lining of the underside of the upper tier of spectator accommodation, from within the first floor concourse.</p> <p>The deficiencies in the Main Stand are recognised and taken account of by BMJ Architects in the computation of the relevant 'P' factor.</p> <p>Management continually assess the fire resistance characteristics exit routes etc and the physical condition of the Main Stand, and do so in consultation with the Police and Fire Services</p>

16.6 (f)	<u>Location of Control Point</u> Pittodrie Stadium is an existing situation and the control room has been located adjacent to the Main Stand.	This location was agreed by both Club and Emergency Services. The requirements of clause 16.6 have been met as far as practical on site. Police are content with the site.
19.0	<u>Media Provision</u>	Management will ensure that the non-combustibility of the gantry to the Richard Donald Stand has been provided in compliance with Building Standards Scotland Regulations Management will ensure that site specific risk assessment method statements and design calculations are provided by Media companies for all their temporary & permanent installations at Pittodrie Stadium Temporary scaffolding will be designed and erected in accordance with the recommendations of the Institute of Structural Engineers.

This page and the five preceding pages form Appendix 5 referred to in the foregoing Safety Certificate

Signed: _____

Witness: _____

Date _____

Attention of Paul Hendry
 Aberdeen Football Club
 Pittodrie Street
 Aberdeen
 18/04/2017

Dear Paul

Aberdeen Football Club
 Safety Certificate for Pittodrie Stadium, Aberdeen.
 Final Capacity Computation

Having carried out an observational survey of the spectator stands and facilities, (which was reported to you on 13th February 2017), I can again confirm that there has been a modest but progressive deterioration of some elements of the Stadium building fabric. I am particularly aware that the South Stand is showing signs of progressive settlement, and this must be monitored continually by the Consulting Structural Engineers engaged by the Club. However, due to Aberdeen Football Club's pro-active maintenance programmes, I do not consider that the deterioration warrants a reduction in the 'P' factors at this point in time.

The Final Capacity of each Stand, and the entire Stadium, will therefore still be as follows;

01. Richard Donald Stand.

The number of actual seats as confirmed by Aberdeen Football Club is 6220. This figure comprises 6100 seats in the open terracing which includes 20 disabled person seats in addition to 120 seats within the hospitality boxes.

There being no seriously restricted view seats, the number of useable seats is also 6220. The P +S factors for this Stand both currently are at 1.0, as per letter of 20th May 2013.

The Holding Capacity is therefore 6220×1.0 equating to 6220.

02. South Stand

Works to relocate the security barrier between home and visiting supporters has been completed,

with no effect on the total number of spectators using this Stand.

The number of actual seats as confirmed by Aberdeen Football Club is 8155.

Number of seriously restricted seats due to disabled section canopy is 84

The number of useable seats is therefore 8071.

The P+S factors for this Stand currently are 0.965 and 1.0 respectively, as per letter of 20th May 2013.

The Holding Capacity is therefore 8071×0.965 equating to 7789.

03. Merkland Road Stand.

The number of actual seats as confirmed by Aberdeen Football Club is 3538.

The number of seriously restricted view seats has been assessed on site as 95.

The number of useable seats is therefore 3443.

The P+S factors for this Stand currently are 0.98 and 1.0 respectively, as per letter of 20th May 2013.

The Holding Capacity is therefore 3443×0.98 equating to 3374.

04. Main Stand.

The number of actual seats as confirmed by Aberdeen Football Club is 3901.

The number of seriously restricted view seats has been assessed on site as 43.

The number of useable seats is therefore 3858.

The P+S factors for this Stand currently are 0.903 and 1.0 respectively, as per letter of 20th May 2013.

The Holding Capacity is therefore 3858×0.903 equating to 3483.

The Stadium Holding Capacity and Final Capacity based upon current P+S factors is therefore;

Richard Donald Stand -	6220
South Stand -	7789
Merkland Road Stand -	3374
Main Stand -	3483

Stadium -	20866
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I trust this assessment and computation will now be conveyed to Aberdeen City Council.

Yours Faithfully

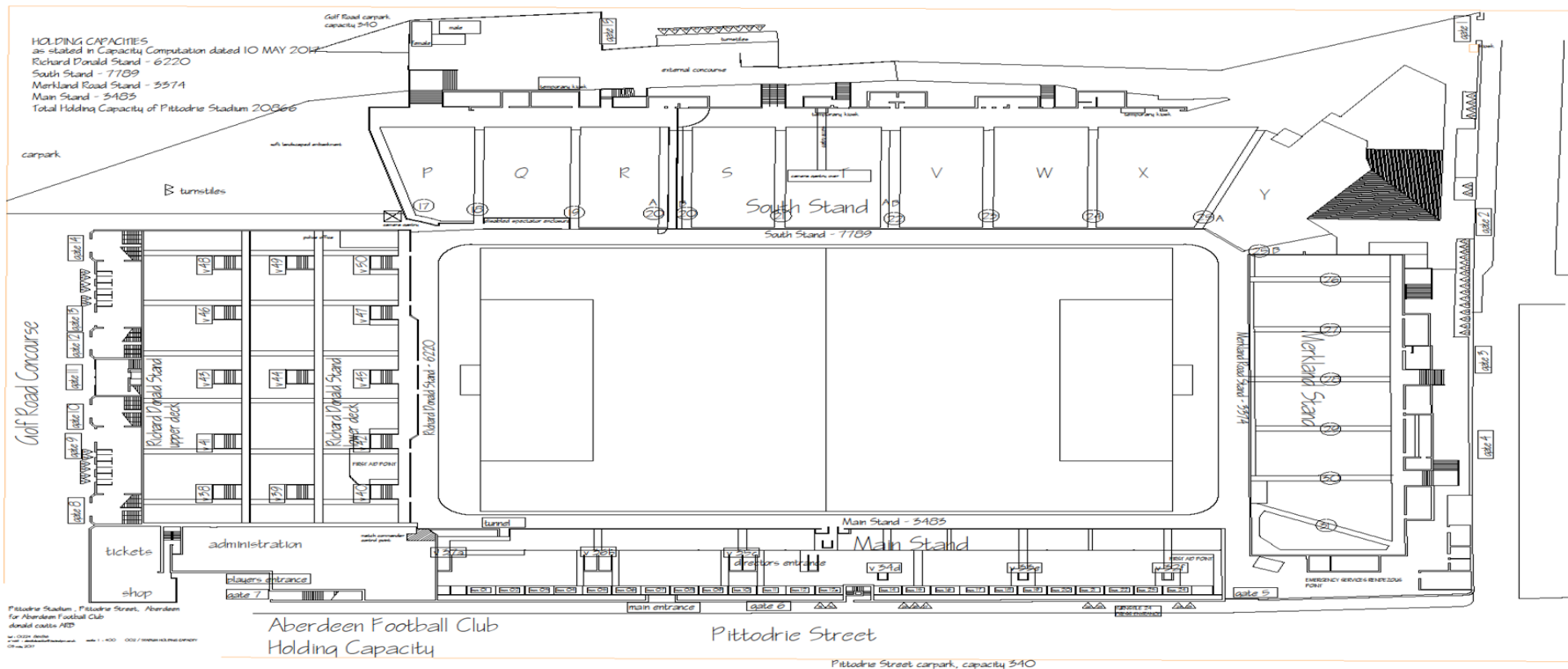
Donald Coutts. Registered Architect

This page and the preceding page form Appendix 6 referred to in the foregoing Safety Certificate

Signed: _____

Witness: _____

Date _____



This page forms Appendix 7 referred to in the foregoing Safety Certificate

Signed: _____

Witness: _____

Date _____

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ABERDEEN CITY COUNCIL

COMMITTEE	Licensing
DATE	13 June 2017
REPORT TITLE	Appointment of Members to Sub-Committees and Working Groups
REPORT NUMBER	CG/17/068
DIRECTOR/HOS	Fraser Bell
REPORT AUTHOR	Allison Swanson

1. PURPOSE OF REPORT:-

- 1.1 The purpose of this report is to seek the re-establishment of sub-committees and working groups under the Committee's remit and to make appointments to the sub-committees and working groups re-established.

2. RECOMMENDATIONS

It is recommended that the Committee:

- (a) 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;
- (b) 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 agreed compositions; and
- (c) 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.

3. BACKGROUND/MAIN ISSUES

- 3.1 The Committee is requested to consider the reestablishment and appointment of members to the following sub-committees and advisory group:-

Group	Number of Council Representatives Previously Appointed
Licensing Evidential Hearings Sub-Committee	7
Licensing Urgent Business Sub-Committee	7
Sports Ground Advisory Group	5

3.2 Compositions

- 3.2.1 Council at its meeting on 17 May 2017, agreed the following compositions for sub-committee and working groups:-

Number of Members	Composition
4	1 SNP, 1 Conservative, 1 Labour and 1 Liberal Democrat or Independent
5	1 SNP, 1 Conservative, 1 Labour, 1 Liberal Democrat and 1 Independent
6	2 SNP, 1 Conservative, 1 Labour, 1 Liberal Democrat and 1 Independent
7	2 SNP, 2 Conservative, 1 Labour, 1 Liberal Democrat and 1 Independent

3.3 Licensing Urgent Business Sub-Committee Remit

- 3.3.1 The remit of the Licensing Urgent Business Sub-Committee is to consider any matters placed before it by the Head of Legal and Democratic Services relating to any matters on which the Licensing Committee can make decisions and to either grant or refuse applications where it deems appropriate.

3.4 Licensing Evidential Hearings Sub-Committee Remit

- 3.4.1 The remit of the Licensing Evidential Hearings Sub-Committee is to hear any application for grant, renewal, revocation or suspension of any licence remitted to it by the Licensing Committee where evidence is to be heard and make decisions on such matters.

3.5 Sports Ground Advisory Group remit

- 3.5.1 The remit of the Sports Ground Advisory Group is to meet to consider matters relating to the safety of sports ground. The Group works in an advisory capacity without any powers and make recommendations to the Committee as required.

3.6 Taxi Consultation Group Membership and Remit

- 3.6.1 The Taxi Consultation Group is a Working Group of the Licensing Committee. The Consultation Group has the following membership: 5 Elected Members; and 8 representatives of the taxi trade of whom 1 will represent the airport operators and licensed taxi offices. The Disability Equity Partnership will also send 1 representative as a member of the Group. Additional attendees will include a Licensing Enforcement Officer, the Fleet Services Manager and a solicitor representing the licensing function. Other relevant representatives will be invited to attend meetings on an ad hoc basis. Taxi trade members must represent a specific and recognised interest group. It will be understood that the representatives will report to their members after meetings.
- 3.6.2 In terms of the remit of the group, it acts without any decision making powers but will discuss matters of relevance to the taxi trade at the discretion of the Convener and make recommendations to the Licensing Committee as appropriate. At its meeting on 18 April 2017, the Licensing Committee agreed that the remit, governance and membership of the Taxi Consultation Group be reviewed following the Scottish Local Government Elections in May 2017.
- 3.6.3 It is recommended that the Taxi Consultation Group be re-established on the basis of the above membership pending the review of the remit, governance and membership currently being undertaken by the Head of Legal and Democratic Services and which will be reported to the Committee at its meeting on 12 September 2017.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations contained in this report.

Under Section 56 of the Local Government (Scotland) Act 1973, the Council may arrange for the discharge of any of its functions by a Committee or a Sub Committee. Any such committee may appoint one or more sub-committees.

The Taxi Consultation Working Group is not a committee or a sub-committee and has no decision making powers.

6. MANAGEMENT OF RISK

- 6.1 Acceptance of the above recommendations is not considered to pose any risk to the Council.

7. IMPACT SECTION

- 7.1 The report may be of interest to the public as it establishes Sub Committees and a Working Group under the remit of the Committee.

Economy

- 7.2 There will be no impact on economy arising from the recommendations.

People

- 7.3 An Equality and Human Rights Impact Assessment is not required as the proposal does not disproportionately impact on persons with protected characteristics compared to persons without such characteristics.

Place

- 7.4 There will be no impact on the place arising from the recommendations.

Technology

- 7.5 There will be no impact on technology arising from the recommendations.

8. BACKGROUND PAPERS

None.

9. APPENDICES (if applicable)

There are no appendices to the report.

10. REPORT AUTHOR DETAILS

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