

# Public Document Pack



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 8 December 2017

## LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in **Committee Room 2 - Town House on TUESDAY, 19 DECEMBER 2017 at 10.00 am.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### B U S I N E S S

#### DETERMINATION OF URGENT BUSINESS

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

#### DETERMINATION OF EXEMPT BUSINESS

2.1 Members are requested to determine that any exempt business be considered with the press and public excluded.

#### CONFIDENTIAL BUSINESS

3.1 Items of confidential business are listed at item 7 on the agenda.

#### DECLARATIONS OF INTEREST

4.1 Members are requested to intimate any declarations of interest (Pages 7 - 8)

#### REQUESTS FOR DEPUTATION

5.1 None received at this stage

## **MINUTES, COMMITTEE BUSINESS STATEMENT AND COMMITTEE TRACKER**

- 6.1 Minute of Previous Meeting of 7 November 2017 (Pages 9 - 30)
- 6.2 Minutes of the Meetings of the Licensing Urgent Business Sub Committee of 27 October and 30 November 2017 - for approval (Pages 31 - 36)
- 6.3 Minute of the Meeting of the Licensing Evidential Hearings Sub Committee of 6 September 2017 - for approval (Pages 37 - 40)
- 6.4 Committee Business Statement (Pages 41 - 46)
- 6.5 Committee Tracker (Pages 47 - 52)

## **CONFIDENTIAL INFORMATION - APPLICATIONS, INCLUDING LIST OF 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.**

- 7.1 Landlord Registration (Pages 57 - 60)
- 7.2 Landlord Registration (Pages 61 - 66)
- 7.3 Recall of Suspension of Taxi Driver's Licence (Pages 67 - 72)
- 7.4 Application for the Renewal of a Late Hours Catering Licence (Pages 73 - 76)
- 7.5 Application for the Grant of a Second Hand Vehicle Dealer's Licence (Pages 77 - 82)
- 7.6 Application for the Renewal of a Taxi Licence (Pages 83 - 86)
- 7.7 Application for the Grant of a Private Hire Car Driver's Licence (Pages 87 - 92)
- 7.8 Request for the Suspension of a Taxi Driver's Licence (Pages 93 - 98)
- 7.9 Application for the Renewal of a Taxi Driver's Licence (Pages 99 - 100)
- 7.10 Application for the Renewal of a Taxi Driver's Licence (Pages 101 - 102)

- 7.11 Application for the Renewal of a Taxi Driver's Licence (Pages 103 - 104)
- 7.12 Application for the Renewal of a Taxi Driver's Licence (Pages 105 - 106)
- 7.13 Application for the Renewal of a Taxi Driver's Licence (Pages 107 - 108)
- 7.14 Application for the Renewal of a Taxi Driver's Licence (Pages 109 - 110)
- 7.15 Application for the Renewal of a Taxi Driver's Licence (Pages 111 - 112)
- 7.16 Application for the Renewal of a Taxi Driver's Licence (Pages 113 - 114)
- 7.17 Application for the Renewal of a Taxi Driver's Licence (Pages 115 - 116)
- 7.18 Application for the Renewal of a Taxi Driver's Licence (Pages 117 - 118)
- 7.19 Application for the Renewal of a Taxi Driver's Licence (Pages 119 - 120)
- 7.20 Application for the Grant of a Taxi Driver's Licence (Pages 121 - 122)
- 7.21 Application for the Renewal of a Taxi Driver's Licence (Pages 123 - 124)
- 7.22 Application for the Renewal of a Taxi Driver's Licence (Pages 125 - 126)
- 7.23 Application for the Renewal of a Taxi Driver's Licence (Pages 127 - 128)
- 7.24 Application for the Renewal of a Taxi Driver's Licence (Pages 129 - 130)
- 7.25 Application for the Renewal of a Taxi Driver's Licence (Pages 131 - 132)
- 7.26 Application for the Renewal of a Taxi Driver's Licence (Pages 133 - 134)

#### **APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS**

- 8.1 Renewal of a Licence for a House in Multiple Occupation - 3 Roslin Terrace, Aberdeen (Pages 137 - 140)
- 8.2 Grant of a Licence for a House in Multiple Occupation - 91 Berryden Road, Aberdeen (Pages 141 - 144)

- 8.3 Renewal of a Licence for a House in Multiple Occupation - 148 Clifton Road, Aberdeen (Pages 145 - 148)
- 8.4 Film Classification Requests - Belmont Film House, 49 Belmont Street, Aberdeen (Pages 149 - 154)
- 8.5 Application for the Grant of a Temporary Street Trader's Licence - Fresh Approach UK (Pages 155 - 156)
- 8.6 Application for the Renewal of a Street Trader's Licence - Maureen Ross (Pages 157 - 168)
- 8.7 Application for the Renewal of a Street Trader's Licence - Gary Zyciowski (Pages 169 - 170)
- 8.8 Application for the Grant of a Second Hand Vehicle Trader's Licence - Keith Donaldson (Pages 171 - 172)
- 8.9 Application for the Renewal of a Public Entertainment Licence - Alex Collie Sports Centre (Pages 173 - 174)
- 8.10 Application for the Renewal of a Public Entertainment Licence - Sheddocksley Leisure Centre (Pages 175 - 176)
- 8.11 Application for the Renewal of a Public Entertainment Licence - Peterculter Sports Centre (Pages 177 - 178)
- 8.12 Application for the Grant of a Private Hire Car Driver's Licence - Khayrul Islam (Pages 179 - 180)
- 8.13 Application for the Renewal of a Private Hire Car Driver's Licence - Ala Eddin Al Sahar (Pages 181 - 182)
- 8.14 Application for the Renewal of a Private Hire Car Driver's Licence - Sayed Mustafa Ah-med Misbaha (Pages 183 - 184)
- 8.15 Application for the Renewal of a Private Hire Car Driver's Licence - David Flett (Pages 185 - 186)
- 8.16 Application for the Renewal of a Taxi Driver's Licence - Rajneesh Rattan (Pages 187 - 188)
- 8.17 Application for the Renewal of a Private Hire Driver's Licence - Dildar Syed (Pages 189 - 190)

- 8.18 Application for the Renewal of a Taxi Driver's Licence - Terry Thornton (Pages 191 - 192)
- 8.19 Application for the Renewal of a Taxi Licence - John Noble (Pages 193 - 194)
- 8.20 Application for the Renewal of a Taxi Licence - Yvonne Fallon (Pages 195 - 196)

### **COMMITTEE REPORTS**

- 9.1 Outcome of the Fee Review Proposal Consultation (Pages 197 - 212)
- 9.2 Ban on Taxi Surcharge for Credit and Debit Cards in Light of HM Treasury Announcement (Pages 213 - 224)
- 9.3 Membership of the Taxi and Private Hire Car Consultation Group (Pages 225 - 230)

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

To access the Service Updates for this Committee please use the following link:  
<https://committees.aberdeency.gov.uk/ecCatDisplayClassic.aspx?sch=doc&cat=13450&path=0>

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

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# Agenda Item 4.1

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether reports for meetings raise any issue of declaration of interest. Your declaration of interest must be made under the standing item on the agenda, however if you do identify the need for a declaration of interest only when a particular matter is being discussed then you must declare the interest as soon as you realise it is necessary. The following wording may be helpful for you in making your declaration.

I declare an interest in item (x) for the following reasons .....

*For example, I know the applicant / I am a member of the Board of X / I am employed by...*  
and I will therefore withdraw from the meeting room during any discussion and voting on that item.

**OR**

I have considered whether I require to declare an interest in item (x) for the following reasons ..... however, having applied the objective test, I consider that my interest is so remote / insignificant that it does not require me to remove myself from consideration of the item.

**OR**

I declare an interest in item (x) for the following reasons ..... however I consider that a specific exclusion applies as my interest is as a member of xxxx, which is

- (a) a devolved public body as defined in Schedule 3 to the Act;
- (b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;
- (c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise; or
- (d) a body being a company:-
  - i. established wholly or mainly for the purpose of providing services to the Councillor's local authority; and
  - ii. which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

**OR**

I declare an interest in item (x) for the following reasons.....and although the body is covered by a specific exclusion, the matter before the Committee is one that is quasi-judicial / regulatory in nature where the body I am a member of:

- is applying for a licence, a consent or an approval
- is making an objection or representation
- has a material interest concerning a licence consent or approval
- is the subject of a statutory order of a regulatory nature made or proposed to be made by the local authority.... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

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## LICENSING COMMITTEE

ABERDEEN, 7 November 2017. Minute of meeting of the LICENSING COMMITTEE. Present: Councillor Boulton, Convener; and Councillors Allan (from article 8 (item 5 of appendix A onwards), Allard, Cameron, Delaney, Graham, Imrie, Lumsden (as a substitute for Councillor Bell from article 8 (item 5 of appendix A onwards) Avril MacKenzie, Catriona Mackenzie, Malik, McRae, Sellar, Sandy Stuart and Townson .

**The agenda and reports associated with this minute can be found at:-**  
<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MId=5844&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.**

### SUSPENSION OF STANDING ORDER 37.2 (LENGTH OF MEETINGS)

1. The Convener proposed that the Committee suspend Standing Order 37.2 (Length of Meetings) to enable the meeting to continue beyond four hours.

**The Committee resolved:**

to agree to suspend Standing Order 37.2 (Length of Meetings).

### CONFIDENTIAL BUSINESS

2. The Committee was advised that the applications listed at item 7 on the agenda were 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.

**The Committee resolved:**

to note the information.

### DECLARATIONS OF INTEREST

3. Members were requested to intimate any declarations of interest in respect of the items on today's agenda.

Thereafter, the following declarations of interest were intimated:

- (i) Councillor Imrie declared an interest in relation to items 7.3 (Application for the Grant of a Street Trader Licence), 8.4 (Application for the Renewal of a Street Trader's Licence - Num Owen), and 9.2 (Review of Street Trader Policies), by virtue of her intention to apply for a street trader licence in the near future, and withdrew from the meeting prior to consideration of these items;

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- (ii) Councillor Stuart declared an interest in relation to item 7.8 (Application for the Grant of a Taxi Driver's Licence) by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of this item; and
- (iii) Councillor Allard declared an interest in relation to item 8.3 (Film Classification Requests - Belmont Film House 49 Belmont Street, Aberdeen) by virtue of being a long term supporter of the French Film Festival, and withdrew from the meeting prior to consideration of this item.

### MINUTE OF PREVIOUS MEETING OF 12 SEPTEMBER 2017

4. The Committee had before it the minute of its previous meeting of 12 September 2017.

**The Committee resolved:**

- (i) to approve the minute as a correct record; and
- (ii) to note that the Private Sector Housing Manager was liaising with Facilities Management regarding the processing of mail handed in at the Marischal College reception.

### MINUTES OF THE MEETINGS OF THE LICENSING URGENT BUSINESS SUB COMMITTEE OF 14, 22 AND 26 SEPTEMBER AND 9 AND 25 OCTOBER 2017

5. The Committee had before it the minutes of the meetings of the Licensing Urgent Business Sub Committee of 14, 22 and 26 September and 9 and 5 October 2017.

**The Committee resolved:**

to approve the minutes as correct records.

### COMMITTEE BUSINESS STATEMENT

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

**The Committee resolved:**

- (i) to delete items 7 (Report to Vary Local Conditions for Booking Office) and 8 (Review Of Street Trader Policies), subject to the decisions taken later on the agenda; and
- (ii) to otherwise note the updates contained in the statement.

### COMMITTEE TRACKER

7. The Committee had before it a tracker of future committee business.

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**The Committee resolved:**

to note the information contained in the committee report tracker.

**CONFIDENTIAL INFORMATION**

**The press and public were excluded from the meeting for consideration of the applications listed in section 7 on the agenda and appendix A of the minute which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.**

**APPLICATION FOR LICENCES**

8. 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.

**APPLICATION FOR LICENCES**

9. 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.

**REPORT TO VARY LOCAL CONDITIONS FOR BOOKING OFFICE LICENCES - CG/17/119**

10. With reference to article 14 of the minute of its meeting of 12 September 2017, the Committee had before it a report by the Head of Legal and Democratic Services which requested that the Licensing Committee consider the views of the holders of Booking Office licences and the Chief Constable, who had been invited to attend today's meeting and be heard, on the variation of the standard local conditions in relation to Booking Office Licences.

**The report recommended –**

that the Committee

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- (a) note that all holders of Booking Office Licences and the Chief Constable, Police Scotland, had, in accordance with Paragraph 10 of Schedule 1 of the Civic Government (Scotland) Act 1982, been notified of the proposed variation of conditions, as agreed by the Committee at their meeting on 12 September 2017 and noted below, and had been invited to attend and be heard at this meeting of the Committee:-

The proposed variation of the local condition 3 from “the licence holder shall keep written or electronic records of the name address, licence number of every driver operating from the relevant premises” to read;

**“The Licence Holder, in order to ensure that relevant vehicles are only driven by a licensed taxi or private hire drivers, shall keep, and undertake an ongoing review or audit of, written or electronic records of the name, address, licence number and expiry date of every driver operating from the relevant premises.”**

The proposed variation of the local condition 4 from “the Licence Holder shall ensure that only relevant vehicles licences by the Licensing Authority operate from the relevant premises” to read;

**“The Licence Holder, in order to ensure that only relevant vehicles, currently licensed by this local authority, operate from the relevant premises, shall keep, and undertake an ongoing review or audit of, written or electronic records of the licence holder, licence number, registration number and expiry date of any taxi and private hire car operating from the relevant premises”;**

- (b) consider the views of the holders of Booking Office licences and the Chief Constable, Police Scotland on the proposed variation of the local conditions above (Appendix 1);
- (c) thereafter, approve the proposed amended draft schedule of conditions (Appendix 1); and
- (d) instruct the Head of Legal and Democratic Services to give written notice of the Committee’s decision to the holders of Booking Office Licences and The Chief Constable, Police Scotland, on the variation of the local conditions in accordance with paragraph 10 of Schedule 1 of the Civic Government (Scotland) Act 1982.

The Committee heard representation from Mr Russell McLeod, Rainbow City Taxis, regarding the proposed variation of local conditions 3 and 4.

### **The Committee resolved:**

- (i) to approve the recommendations; and
- (ii) to agree that a meeting of the Taxi and Private Hire Consultation Group be held to discuss the process for the renewal and notification of a taxi/private hire driver licence and that a representative from all booking offices be invited to attend that meeting only.

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### DECLARATION OF INTEREST

**In accordance with article 3 of this minute, Councillor Imrie left the meeting prior to consideration of the following item of business.**

### REVIEW OF STREET TRADER POLICIES

**11.** With reference to article 15 of the minute of its meeting of 12 September 2017, the Committee had before it a report by the Head of Legal and Democratic Services which requested that the Licensing Committee consider the views of the holders of street trader licences, the Chief Constable and relevant consultees, who had been invited to attend today's meeting on the review of the policies and variation of the standard conditions in relation to Street Trader Licences.

Three additional written representations from street trader licence holders were tabled at the meeting.

**The report recommended –**  
that the Committee

- (a) note that all holders of Street Traders Licences, the Chief Constable, Police Scotland, and relevant consultees had, in accordance with Paragraph 10 of Schedule 1 of the Civic Government (Scotland) Act 1982, been notified of the proposed review and variation of conditions, as agreed by the Committee at its meeting on 12 September 2017, and been invited to attend and be heard at this meeting of the Committee;
- (b) consider the views of the holders of street traders licences, the Chief Constable, Police Scotland, and other relevant consultees on the proposed review and variation of conditions (Appendices 3 to 8);
- (c) thereafter approve the proposed amended draft schedule of conditions (Appendix 2); and
- (d) instruct the Head of Legal and Democratic Services to give written notice of the Committee's decision to the holders of Street Traders Licences, The Chief Constable, Police Scotland, and other relevant consultees on the review and variation of conditions in accordance with paragraph 10 of Schedule 1 of the Civic Government (Scotland) Act 1982.

Speaking in furtherance of the report, Mrs Lynn May, Solicitor, advised that given the legal implications of amending condition 9 as proposed in the recommendations contained in the report and the responses received from the Council's roads team and street trader licence holders so far, officers had agreed to amend recommendation (c) as detailed above to read:

- (c) to approve appendix 2 with the exception of condition 9 which should remain as was.

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The Committee heard representation from Lukasz Sieran, street trader licence holder, and Sergeant Gill Flett, Police Scotland, regarding the removal of the existing condition 21.

**The Committee resolved:**

- (i) to approve recommendations (a), (b) and (d) as contained in the report; and
- (iii) to approve the amended recommendation (c) that the proposed amended draft schedule of conditions as contained at Appendix 2 be approved with the exception of condition 9, which should remain as was.

**- COUNCILLOR MARIE BOULTON, Convener**

DRAFT

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**APPENDIX A (CONFIDENTIAL)**

**1. LANDLORD REGISTRATION**  
**Application Number – 7/01**

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

The applicant was not in attendance.

The Committee heard from Mr Thain, Private Sector Housing Manager, who advised that the applicant had contacted him to advise that neither he, nor his solicitor, could not be present at today's meeting and asked that consideration of his application be deferred to a future meeting of the Committee to enable him or his representative to be present.

**The Committee resolved:**

to defer consideration of the application for landlord registration to a future meeting of the Committee to enable the applicant, or his representative, to be present.

**2. LANDLORD REGISTRATION**  
**Application Number – 7/02**

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

The applicant was in attendance, accompanied by his parents and spoke in support of his application.

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter of 20 September 2017.

The Committee asked questions of the applicant and Sergeant Flett.

Neither the applicant nor Sergeant Flett took up the opportunity to sum up.

**The Committee resolved:**

to approve the application for landlord registration.

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**DECLARATIONS OF INTEREST**

In accordance with article 3 of this minute, Councillor Imrie left the meeting prior to consideration of the following item of business.

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

**3. APPLICATION FOR THE GRANT OF A STREET TRADER'S LICENCE**  
**Application Number – 7/03**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 9 March 2018; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 9 October 2017.

The applicant was in attendance, accompanied by his employer, who spoke in support of the application.

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter of representation.

The Committee asked questions of the applicant and Sergeant Flett.

Neither the applicant nor Sergeant Flett took up the opportunity to sum up.

**The Committee resolved:**  
to grant the application.

**4. APPLICATION FOR THE GRANT OF A LATE HOURS CATERING LICENCE**  
**Application Number – 7/04**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 9 February 2018; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 1 September 2017.

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

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter of representation.



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The Committee asked questions of the applicant and Sergeant Flett.

Sergeant Flett summed up on behalf of Police Scotland.

The applicant summed up his case.

The Convener, seconded by Councillor Allard, moved:-  
that the Committee approve the application for operation between 11pm and midnight every Friday and Saturday and to instruct the Head of Legal and Democratic Services to review the current policy and to report back to a future meeting of the Committee in this regard.

Councillor Cameron, seconded by Councillor Townson, moved as an amendment:-

that the Committee approve the application for operation between the hours of 11pm and 4am every Friday and Saturday.

On a division, there voted:- for the motion (3) – the Convener; and Councillors Allard and Delaney; for the amendment (10) – Councillors Cameron, Graham, Imrie, Avril MacKenzie, Catriona Mackenzie, Malik, McRae, Sellar, Sandy Stuart and Townson.

**The Committee resolved:**

to adopt the amendment.

**5. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE**

**Application Number – 7/05**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 13 February 2018; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 31 August 2017.

The applicant was not in attendance.

Sergeant Flett was in attendance.

**The Committee resolved:**

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

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**6. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/06**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 26 December 2017; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 18 July 2017.

The applicant was in attendance, accompanied by his mother, and spoke in support of the application.

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter of representation.

The Committee asked questions of the applicant and Sergeant Flett.

Neither the applicant nor Sergeant Flett took up the opportunity to sum up.

**The Committee resolved:**  
to grant the application.

**7. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/07**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 20 March 2018; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 11 October 2017.

The applicant was in attendance, and was represented by his solicitor, who spoke in support of the application.

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter of representation.

The Committee asked questions of the applicant and Sergeant Flett.

Sergeant Flett did not take up the opportunity to sum up on behalf of Police Scotland.

The applicant's solicitor summed up his case.

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**The Committee resolved:**

to grant the application.

**8. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/08**

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

**9. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/09**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 15 December 2017.

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

The Committee asked questions of the applicant.

The applicant did not take up the opportunity to sum up.

**The Committee resolved:**

- (i) to defer consideration of the application to allow a medical report from OH Assist to be received, and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration; and
- (ii) to note that the Licensing Team Leader was reviewing the processes in relation to the requesting and receiving of medical reports.

**10. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/10**

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

**11. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/11**

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

**12. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/12**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 4 December 2017.

Mr Munro, Legal Advisor, provided the Committee with a verbal update on the application.

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

The Committee asked questions of the applicant.

The applicant did not take up the opportunity to sum up.

**The Committee resolved:**

to defer consideration of the application to allow a medical report from OH Assist to be received and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration.

**13. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/13**

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

**14. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/14**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 13 December 2017.

Mr Munro, Legal Advisor, provided the Committee with a verbal update on the application.

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

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The Committee asked questions of the applicant.

The applicant did not take up the opportunity to sum up.

**The Committee resolved:**

- (i) to defer consideration of the application to allow a medical report from OH Assist to be received and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration; and
- (ii) to defer consideration of the request for exemption from the Committee's Accessible Vehicle Policy to a meeting of the Licensing Urgent Business Sub Committee.

**15. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**

**Application Number – 7/15**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 29 November 2017.

Mr Munro, Legal Advisor, provided the Committee with a verbal update on the application.

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

The Committee asked questions of the applicant.

The applicant did not take up the opportunity to sum up.

**The Committee resolved:**

to defer consideration of the application to allow a medical report from OH Assist to be received and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration.

**16. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**

**Application Number – 7/16**

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

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### DECLARATION OF INTEREST

Prior to consideration of the following item, Councillor Sandy Stuart declared an interest in the following article by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of the application.

#### 17. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE Application Number – 7/17

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 15 December 2017.

Mr Munro, Legal Advisor, provided the Committee with a verbal update on the application.

The applicant was in attendance, accompanied by his employer, and spoke in support of the application.

The Committee asked questions of the applicant.

The applicant did not take up the opportunity to sum up.

#### The Committee resolved:

- (i) to defer consideration of the application to allow a medical report from OH Assist to be received and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee on 10 November 2017 at 10am for consideration; and
- (ii) to agree, should the applicant withdraw, to waive the fee for a new application and the requirement for the applicant to undertake a street knowledge test.

#### 18. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE Application Number – 7/18

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

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**19. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**  
**Application Number – 7/19**

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

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**LICENSING COMMITTEE**

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**APPENDIX B****1. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 53 BANNERMILL PLACE, ABERDEEN**  
**Application Number – 8/01**

The Committee had before it a report by the Private Sector Housing Manager in respect of the application which advised that one timely letter of representation had been received.

The applicant, Mr Keith Lamb, was not in attendance.

The respondent, Miss Julie Thomson, was not in attendance.

The Committee heard from Mr Thain, Private Sector Housing Manager, who advised that the respondent had stated that “she did not wish to object this time around as long as Collie, or another responsible agent, was employed by Mr Lamb” and the applicant had agreed to this additional licensing condition. On this basis, both parties were advised that they were not required to attend today’s meeting.

**The Committee resolved:**

to grant the licence subject to the usual licensing conditions plus the additional condition that the licence holder must appoint a professional managing agent to provide a fully factored service for the duration of the licence.

**DECLARATION OF INTEREST**

**Prior to consideration of the following item, Councillor Townson declared an interest in the following article by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of the application.**

**2. APPLICATION FOR ONE OFF EXTENDED TRADING HOURS - CINEWORLD CINEMA, UNION SQUARE, ABERDEEN**  
**Application Number – 8/02**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the applicant had requested a one off extension to trading hours on 14 December 2017 from 2.30am to 8am to allow the cinema to trade continuously from the Wednesday to the Thursday for the release of the new Star Wars movie.



## **LICENSING COMMITTEE**

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The applicant Mr Steven Buchan, General Manager, Cineworld, was in attendance and spoke in support of the application.

**The Committee resolved:**

to grant the application.

### **DECLARATION OF INTEREST**

In accordance with article 3 of this minute, Councillor Allard left the meeting prior to consideration of the following item of business.

**3. FILM CLASSIFICATION REQUESTS - BELMONT FILM HOUSE, 49 BELMONT STREET, ABERDEEN**  
**Application Number – 8/03**

The Committee had before it eight requests for film classification for screening at Belmont Cinema as part of the French Film Festival 2017 follows:-

1. Jean De Florette - suggested rating PG
2. Lost in Paris - suggested rating PG
3. Manon of the Spring - suggested rating PG
4. Mr and Mrs Adelman – suggested rating 15
5. Redoubtable – suggested rating 15
6. Speak Up – suggested rating 12A
7. The Double Lover – suggested rating 18
8. The Kid – suggested rating PG

The Committee heard from Mr Munro, Legal Advisor, who advised that the films 1 to 3 above already had approved film classifications and therefore were not required to be considered by the Committee

**The Committee resolved:**

to approve the suggested film classifications for the following films:

- Mr and Mrs Adelman – 15
- Redoubtable – 15
- Speak Up – 12A
- The Double Lover – 18
- The Kid – PG

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**4. APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE - NUM OWEN**  
**Application Number – 8/04**

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

**5. APPLICATION FOR THE GRANT OF A SECOND HAND TRADER'S LICENCE - SHIRLAW'S SUZUKI**  
**Application Number – 8/05**

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

**6. APPLICATION FOR THE RENEWAL OF A TAXI LICENCE - NORTHERN ACCIDENT MANAGEMENT LTD**  
**Application Number – 8/06**

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

**7. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE - MOHAMED BARCHOUCI**  
**Application Number – 8/07**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 15 November 2017, and to date the applicant had not passed the required street knowledge test.

The applicant, Mr Mohamed Barchouchi, was in attendance and spoke in support of the application.

The Committee asked questions of the applicant.

The applicant advised that he wished to withdraw his application.

**The Committee resolved:**

to note that the applicant had withdrawn his application.

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**8. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - JONEY JOEY THANABALASINGHAM**  
**Application Number – 8/08**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 11 December 2017, and to date the applicant had not passed the required street knowledge test.

The applicant, Mr Joney Joey Thanabalasingham, was in attendance and spoke in support of the application.

The Committee asked questions of the applicant.

The applicant summed up.

**The Committee resolved:**

to defer consideration of the application to enable the applicant to undertake the street knowledge test, and to agree that should the applicant pass the street knowledge test, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to the meeting of the Licensing Urgent Business Sub Committee for consideration.

**9. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - DITU MIAH**  
**Application Number – 8/09**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 30 November 2017, and to date the applicant had not passed the required street knowledge test.

The applicant, Mr Ditu Miah, was in attendance and spoke in support of the application.

The Committee asked questions of the applicant.

The applicant summed up.

**The Committee resolved:**

to defer consideration of the application to enable the applicant to undertake the street knowledge test, and to agree that should the applicant pass the street

**LICENSING COMMITTEE**

7 November 2017

knowledge test, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to the meeting of the Licensing Urgent Business Sub Committee for consideration.

**10. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - ALI MOHAMMAD**  
**Application Number – 8/10**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 22 November 2017, and to date the applicant had not passed the required street knowledge test.

The applicant, Mr Ali Mohammad, was in attendance and spoke in support of the application.

The Committee asked questions of the applicant.

The applicant did not take up the opportunity to sum up.

**The Committee resolved:**

to defer consideration of the application to enable the applicant to undertake the street knowledge test, and to agree that should the applicant pass the street knowledge test, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to the meeting of the Licensing Urgent Business Sub Committee for consideration.

**11. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - BULU DAS**  
**Application Number – 8/11**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 15 December 2017, and to date the applicant had not passed the required street knowledge test.

The applicant was not in attendance.

**The Committee resolved:**

to refuse the application.

LICENSING COMMITTEE

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## LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 27 October 2017. Minute of meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present: Councillor Reynolds, Convener; and Councillors Allard, Nicoll (as a substitute for Councillor Townson) and Wheeler (as a substitute for Councillor Avril McKenzie).

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

**<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=502&MId=5981&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 33.1, and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Sub Committee was informed that the Convener had determined: (1) that the item on the agenda was of an urgent nature to enable the consideration of the immediate suspension of the taxi driver's licence in terms of Paragraph 12 of Schedule 1 to the Civic Government (Scotland) Act 1982 on the grounds of public safety; and (2) that the Sub Committee required to consider the item and take a decision thereon.

**The Sub Committee resolved:-**

to agree with the Convener that the item on today's agenda 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 item which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.**

### REQUEST FOR THE SUSPENSION OF TAXI DRIVER'S LICENCE

2. The Sub Committee had before it a report from the Council's Occupational Health provider, OH Assist, in respect of an application for the renewal of a taxi driver's licence.

The Sub Committee heard from Mr Munro, Legal Advisor, in respect of the request.

**The Sub Committee resolved:-**

to agree to suspend the licence holder's taxi driver's licence with immediate effect in terms of Paragraph 12 of Schedule 1 to the Civic Government (Scotland) Act 1982 on the basis of public safety.

- **COUNCILLOR JOHN REYNOLDS, Convener**

**LICENSING URGENT BUSINESS SUB COMMITTEE**



## LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 30 November 2017. Minute of meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present: Councillor Reynolds, Convener; and Councillors Allard, Councillor Donnelly, the Depute Provost, Graham and Townson.

The agenda and reports associated with this minute can be found at:-  
<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=502&MIId=6008&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 33.1, and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Sub Committee was informed that the Convener had determined: (1) that the items on the agenda were of an urgent nature to enable the applications to be determined in a timely manner; and (2) that the Sub Committee required to consider the items and take decisions thereon.

#### **The Sub Committee resolved:-**

to agree with the Convener that the items on today's agenda were of an urgent nature and required to be considered this day.

### APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE - DITU MIAH

2. The Sub Committee were advised that the application had been withdrawn.

### APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE - JONEY JOEY THANABALASINGHAM

3. The Sub Committee had before it an information note prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 11 December 2017, and to date the applicant had not passed the required street knowledge test.

Mr Munro, Legal Advisor, provided the Sub Committee with a verbal update on the application.

## LICENSING URGENT BUSINESS SUB COMMITTEE

30 November 2017

The Sub Committee heard from the applicant, who advised that he would undertake a street knowledge test on Monday 4 December 2017 and if he failed the test, he would withdraw his application.

### **The Sub Committee resolved:-**

- (i) to defer consideration of the application to allow the applicant to undertake the street knowledge test on Monday 4 December 2017 and to agree that should the applicant pass the street knowledge test, the Head of Legal and Democratic Services could grant the application under delegated powers;
- (ii) to note that the applicant would withdraw his application if he failed the street knowledge test on Monday 4 December 2017; and
- (iii) to refer the application to a further meeting of the Licensing Urgent Business Sub-Committee prior to 11 December in the event the applicant failed to pass the street knowledge test and did not subsequently withdraw the application.

### **CONFIDENTIAL INFORMATION**

**The press and public were excluded from the meeting for consideration of the application listed below in terms of Section 50(A)(3)(b) of the Local Government (Scotland) Act 1973.**

### **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**

4. The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application which advised that the application had to be determined by 4 December 2017.

Mr Munro, Legal Advisor, provided the Committee with a verbal update on the application and also circulated an updated information sheet containing letters and correspondence submitted by the applicant.

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

The Committee asked questions of the applicant.

The applicant summed up his case.

### **The Sub Committee resolved:-**

- (i) to refuse the application;
- (ii) to agree that should the applicant meet the Group 2 DVLA medical criteria following receipt of a further medical report which results in a material change of circumstance, to waive the fee for a new application and the requirement for the applicant to undertake a street knowledge test; and

**LICENSING URGENT BUSINESS SUB COMMITTEE**  
30 November 2017

- (iii) to note that the Licensing Team Leader would review the process in relation to contacting applicants following receipt of medical reports from OH Assist.
  - **COUNCILLOR JOHN REYNOLDS, Convener**

**LICENSING URGENT BUSINESS SUB COMMITTEE**

## LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE

ABERDEEN, 6 September 2017 Minute of meeting of the LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE. Present: Councillor Reynolds, Convener; and Councillors Delaney, Catriona Mackenzie and Townson.

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

**<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=547&Mid=5869&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.**

### APPOINTMENT OF CONVENER

1. The Clerk sought nominations for Convener of the Sub Committee, whereupon Councillor Townson moved, seconded by Councillor Delaney, that Councillor Reynolds be appointed as Convener.

**The Sub Committee resolved:**

to appoint Councillor Reynolds as Convener.

### PROCEDURE NOTE

2. The Sub Committee had before it a note outlining the procedure to be adopted by the Sub Committee in dealing with the hearing of the request for suspension of a licence as listed on today's agenda.

**The Sub Committee resolved:**

to note the procedure to be adopted.

### 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.**

### REQUEST FOR THE SUSPENSION OF A TAXI DRIVER'S LICENCE

3. The Sub Committee had before it a letter dated 8 August 2017 from the Chief Constable, Police Scotland, c/o Aberdeen City Division, which in terms of Paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982, requested the suspension of the licence holder's taxi driver's licence.

The licence holder was in attendance.

**LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE  
6 SEPTEMBER 2017**

Inspector McGeough was in attendance on behalf of Police Scotland.

Inspector McGeough spoke in support of the request for suspension from Police Scotland.

The Sub Committee asked questions of Inspector McGeough.

The Sub Committee heard from the licence holder in support of his case.

The Sub Committee asked questions of the licence holder.

**The Sub Committee resolved:**

to agree to suspend the licence holder's taxi driver's licence with immediate effect for its unexpired portion in terms of Paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 on the basis that the applicant was not a fit and proper person.

**JOHN REYNOLDS, Convener**

**LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE**

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LICENSING

COMMITTEE BUSINESS

19 DECEMBER 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)	<p><u>Age Policy For Private Hire And Taxi Vehicles</u></p> <p>The Committee resolved to request officers to review the age policy for private hire and taxi vehicles and submit a report on this matter to a future meeting of the Committee.</p>	<p>A report was on the agenda for the Licensing Committee meeting on 6 April at which time it was agreed to refer the report simpliciter to full Council. The report will be considered by full Council on 11 May 2016.</p> <p>Council on 11 May resolved, amongst other things, to instruct the Head of Legal and Democratic Services to review the policy on Age of Vehicles following the implementation of the accessible vehicle policy on 6 June 2018 and report back to the Licensing Committee with recommendations as appropriate twelve months after the accessible vehicle policy had been implemented.</p> <p><b>A report is scheduled to be submitted to the Committee in June 2019.</b></p>	Head of Legal and Democratic Services	June 2019

2.	Licensing Committee 25.10.16 articles 5 and 9	<p><u>Taxi Fare Review</u></p> <p>The Committee resolved to:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> <li>(iii) to instruct officers to meet with trade representatives to explore the restructure of tariff charges and report back to the Committee thereafter;</li> <li>(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</li> <li>(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.</li> </ul>	<p>(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.</p> <p>At its meeting on 28 April 2017, 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.</p> <p><b>A report is scheduled to be submitted to the Committee in June 2018.</b></p>	Head of Legal and Democratic Services	June 2018
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3.	Licensing Committee 28.04.17 article 14	<u>Taxi Demand Survey And Private Hire Car Overprovision</u>  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.	<b>A report is scheduled to be submitted to the Committee in June 2018.</b>	Head of Legal and Democratic Services	June 2018
4.	Licensing Committee 13.06.17 article 10	<u>Taxi Rank Review</u>  The Committee resolved to instruct the Head of Legal and Democratic Services to incorporate the review of taxi rank provision within the taxi demand survey to be carried out and reported to Committee by June 2018.	<b>A report is scheduled to be submitted to the Committee in June 2018.</b>	Head of Legal and Democratic Services	June 2018
5.	Licensing Committee 12.9.17 article 11	<u>Review of Civic Application and Licence Fees</u>  The Committee resolved, amongst other things, to instruct the Head of Legal and Democratic Services to submit a report to the Licensing Committee on 19 December 2017 on the outcome of the fee review proposal consultation and seeking a final decision on the future fee levels to be adopted from 20 December 2017.	<b>A report is on the agenda.</b>	Head of Legal and Democratic Services	19.12.17

6.	Licensing Committee 12.9.17 article 12	<p><u>Update on Driver Training and Knowledge Test</u></p> <p>The Committee resolved, amongst other things:</p> <p>(i) to instruct the Head of Legal and Democratic Services to investigate possible methods of delivery of driver training and report back to Committee on 6 February 2018 with details of the options available;</p> <p>(ii) to instruct the Head of Legal and Democratic Services to undertake consultation with the trade on amendments to the procedure for applying for a taxi driver's licence or private hire driver's licence involving the Knowledge Test as detailed at paragraphs 3.14 and 3.15 of the report; and</p> <p>(iii) to instruct the Head of Legal and Democratic Services to investigate the possibility of incorporating along with the knowledge test an assessment of ability to use an appropriate satellite investigation system and to fully consult the trade thereon and report back by the Licensing Committee on 6 February 2018.</p>	<p><b>The driver training report requires more time for consultation on possible options and therefore this will be reported to Committee in April 2018.</b></p> <p><b>A report is on the schedule to be reported to the Committee on 6 February 2018.</b></p> <p><b>A report is on the schedule to be reported to the Committee on 6 February 2018.</b></p>	Head of Legal and Democratic Services	<p>6.2.18</p> <p>6.2.18</p> <p>6.2.18</p>
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7.	Licensing Committee 12.9.17 article 16	<u>Accessible Vehicle Policy Update</u>  The Committee resolved, amongst other things, to instruct the Head of Legal and Democratic Services to report back to a future meeting of the Licensing Committee in 2018 with the results of the consultation, and the legal and financial implications of a mixed fleet policy, at which time the Committee would determine whether a new mixed fleet policy should be drafted.		Head of Legal and Democratic Services	June 2018
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**CYCLE 6 - 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	Explanation if delayed or withdrawn
Review of Taxi Surcharges in light of HM Treasury Announcement	19/12/2017	Lynn May	Fraser Bell	To report the outcome of the review of taxi surcharges in light of the HM Treasury announcement on the legislative position for surcharges.	
Review of Civic and Miscellaneous Application Fees	19/12/2017	Jennifer Wilson	Fraser Bell	Subject to approval by the Licensing Committee on 12/9/2017, a report back on the outcome of the fee review proposal consultation and seeking a final decision on the future fee levels to be adopted from 20 December 2017.	
MEMBERSHIP OF THE TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP	19/12/2017	Sandy Muno	Fraser Bell	To request that the Licensing Committee consider the request from GMB Scotland to join the Taxi and Private Hire Car Consultation Group (TPHCG).	

**CYCLE 1 - COMMITTEE STATISTICS**

**The Tracker Shows the Reports Which are Expected to be Submitted to Future Committee Meetings**

<b>Report Title</b>	<b>Committee date</b>	<b>Report author</b>	<b>Head of Service</b>	<b>Purpose of Report</b>	<b>Explanation if delayed or withdrawn</b>
Fees and Process for the Taxi Knowledge Test	06/02/2018	Sandy Munro	Fraser Bell	The Committee on 12/9/17 instructed the Head of Legal and Democratic Services to (1) investigate possible methods of delivery of driver training and report back to Committee on 6 February 2018 with details of the options available; and (2) investigate the possibility of incorporating along with the knowledge test an assessment of ability to use an appropriate satellite investigation system and to fully consult the trade thereon and report back by the Licensing Committee on 6 February 2018.	



**CYCLE 2 - COMMITTEE STATISTICS****The Tracker Shows the Reports Which are Expected to be Submitted to Future Committee Meetings**

<b>Report Title</b>	<b>Committee date</b>	<b>Report author</b>	<b>Head of Service</b>	<b>Purpose of Report</b>	<b>Explanation if delayed or withdrawn</b>
Possible methods of delivery of driver training	TBC - April 2018	Sandy Munro	Fraser Bell	The Committee on 12/9/17 instructed the Head of Legal and Democratic Services to investigate possible methods of delivery of driver training and report back to Committee on 6 February 2018 with details of the options available.	
Taxi Fare Review	TBC - April 2018	Karen Gatherum	Fraser Bell	To present the taxi fare review for consideration.	

**CYCLE 3 - COMMITTEE STATISTICS**

**The Tracker Shows the Reports Which are Expected to be Submitted to Future Committee Meetings**

<b>Report Title</b>	<b>Committee date</b>	<b>Report author</b>	<b>Head of Service</b>	<b>Purpose of Report</b>	<b>Explanation if delayed or withdrawn</b>
Accessible Vehicle Policy Update	TBC - June 2018	Sandy Munro	Fraser Bell	The Committee on 12/9/17 instructed the Head of Legal and Democratic Services to report back to a future meeting of the Licensing Committee in 2018 with the results of the consultation, and the legal and financial implications of a mixed fleet policy, at which time the Committee would determine whether a new mixed fleet policy should be drafted.	
Taxi Rank Review	TBC - June 2018	Sandy Munro	Fraser Bell	The Committee on 13.6.17 instructed 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.	
Taxi Demand Survey	TBC - June 2018	Sandy Munro	Fraser Bell	The Committee on 28.4.17 instructed 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.	

**CYCLE 3 - 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	Explanation if delayed or withdrawn
Taxi Fare Review	TBC - June 2018	Karen Gatherum	Fraser Bell	<p>The Commitee on 25.10.16 (i) requested 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;</p> <p>(ii) instructed 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;</p> <p>(iii) instructed officers to meet with trade representatives to explore the restructure of tariff charges and report back to the Committee thereafter;</p> <p>(iv) instructed 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</p> <p>(v) noted 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.</p>	

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**LICENSING COMMITTEE**  
**19<sup>th</sup> December 2017**  
**LIST OF APPLICATIONS**

	<b>Application Type</b>	<b>Name of Applicant(s)</b>	<b>Premises, Vehicle or Area to which Application Refers</b>	<b>Objections or Representations Received From</b>	<b>Date by which Application to be Determined (If Applicable)</b>	<b>Pages</b>
1.	HMO Application (Renewal)	David Harris + CDM Lettings Limited	3 Roslin Terrace, Aberdeen	C, H & I	11 January 2018	137-140
2.	HMO Application (New)	Michael J.McFadyen + CDM Lettings Limited	91 Berryden Road, Aberdeen	C, H & I	16 January 2018	141-144
3.	HMO Application (Renewal)	Sarah E.Morrison + Stonehouse Lettings	148 Clifton Road, Aberdeen	One 'late' objection	25 September 2018	145-148
4.	Cinema Listing	Picture house	Belmont			149-154
5.	Street Trader (temp)	Fresh Approach UK	City Centre	LD	19 December 2017	155-156
6.	Street Trader Renewal	Maureen Ross	Exploration Drive Bridge of Don	Moorfield Group	14 May 2018	157-168
7.	Street Trader Renewal	Gary Zyciwski	El Pescador Fish Van Zones 1-8	LD	2nd Jan 2018	169-170
8.	2 <sup>nd</sup> Hand Vehicle Dealer Grant	Keith Donaldson		LD	3 <sup>rd</sup> Jan 2018	171-172
9.	Public Entertainment Renewal	Sport Aberdeen	Alex Collie Sports Centre	LD	12 Jan 2018	173-174
10.	Public Entertainment Renewal	Sport Aberdeen	Sheddocksley Leisure Centre	LD	12 Jan 2018	175-176

	<b>Application Type</b>	<b>Name of Applicant(s)</b>	<b>Premises, Vehicle or Area to which Application Refers</b>	<b>Objections or Representations Received From</b>	<b>Date by which Application to be Determined (If Applicable)</b>	<b>Pages</b>
11.	Public Entertainment Renewal	Sport Aberdeen	Peterculter Sports Centre	LD	29 Dec 2018	177-178
12.	Private Hire Driver Grant	Khayrul Islam	N/A	LD	3 Jan 2018	179-180
13.	Private Hire Driver Renewal	Ala Eddin Al Sahar	N/A	LD	9 <sup>th</sup> Jan 2018	181-182
14.	Private Hire Driver Renewal	Sayed Mustafa Ahmed Misbaha	N/A	LD	27 <sup>th</sup> Jan 2018	183-184
15.	Private Hire Driver Renewal	David Flett	N/A	LD	17 Jan 2018	185-186
16.	Taxi Driver Grant	Rajneesh Rattan	N/A	LD	20 Dec 2017	187-188
17.	Private Hire Driver Renewal	Dildar Syed	N/A	LD	10 Jan 2018	189-190
18.	Taxi Driver Renewal	Terry Thornton	N/A	LD	28 Dec 2017	191-192
19.	Taxi Renewal	John Noble	MK13 BXP	LD	25 Jan 2018	193-194
20.	Taxi Renewal	Yvonne Fallon	SF63 BDZ	LD	25 Jan 2018	195-196



**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	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	7 December 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.3 Roslin Terrace, Aberdeen**

**Applicant/s: David Harris**

**Agent: Winchesters**

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 19 December 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 three-storey semi-detached house providing accommodation comprising 5 letting bedrooms, 3 public rooms, one kitchen & 2 bathrooms. 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 12 January 2017.

**HMO upgrading works and certification:**

The HMO Officer carried out an inspection of the property on 19 January 2017, then he wrote to the applicant's agent listing the following requirements to bring the property up to the current HMO standard:-

1. All self-closing doors to be adjusted as necessary to ensure that they fully close against their stops.
2. All windows to be adjusted as necessary to ensure that they open/close for ventilation purposes.
3. The areas around the bedroom windows and rear door to be treated for damp/mould growth.
4. Keys to the lounge window locking handle to be supplied to the tenants.
5. The broken window handle in the ground floor bedroom to be replaced.
6. The broken door handle in the ground floor bedroom to be replaced.
7. The vestibule door handle and latch to be repaired/replaced as necessary.
8. The security chain to be permanently removed from the vestibule door.
9. The Certificate of Compliance to be submitted to the HMO Unit.

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

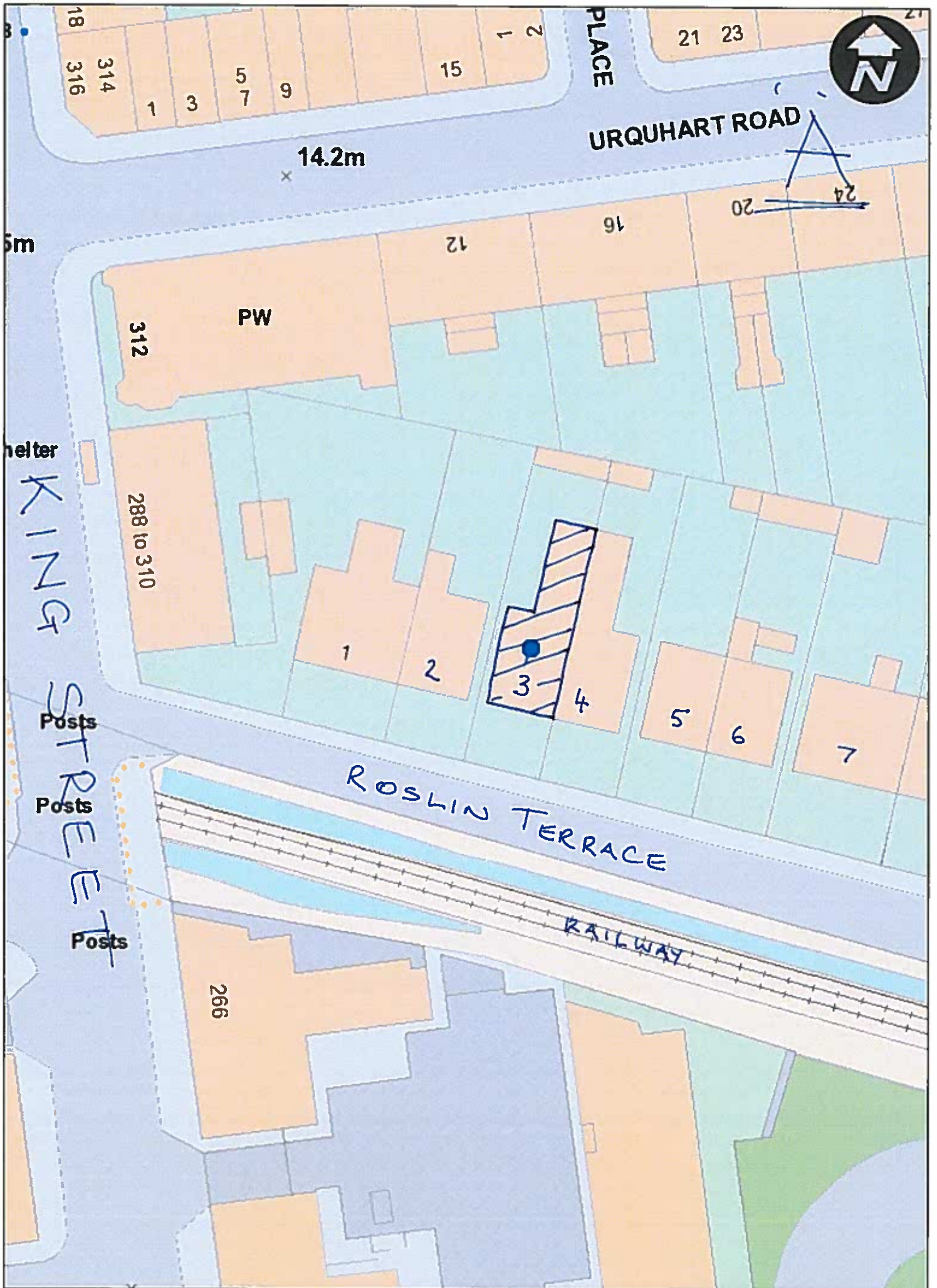
**Other considerations:**

- 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 report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has two records of complaints in 2015 of anti-social behaviour by the tenants of No.3 Roslin Terrace, Aberdeen. The ASBIT team investigated both complaints but no anti-social behaviour was witnessed. No further complaints have been made to the ASBIT team.
- The applicant, his agent and the HMO property are registered with the Council.
- 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 to renew an existing HMO licence.

- The Licensing Committee at its meeting on 18 April 2017 considered this application for the reason that two letters of representation/objection had been submitted to the HMO Unit. The Committee resolved to grant the HMO licence under delegated powers for a restricted one-year period.
- The meeting of the Licensing Committee on 19 December 2017, is the last meeting before the one-year statutory deadline for determining HMO licence applications, 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 19 December 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	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	7 December 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.91 Berryden Road, Aberdeen**

**Applicant/s: Michael J.McFadyen**

**Agent: Winchesters**

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 19 December 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 three-storey mid-terraced house providing accommodation comprising 7 letting bedrooms (5 en-suite), one public room, one kitchen & one shower-room. 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 17 January 2017.

**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 31 January 2017, then he wrote to the applicant's agent listing the following requirements to bring the property up to the current HMO standard:-

1. All faulty or missing lightbulbs to be replaced.
2. Additional electrical sockets to be installed throughout the property.
3. Battery-operated CO detectors to be installed in rooms which contain a gas appliance.
4. All self-closing doors to be adjusted as necessary to ensure that they fully close against their stops.
5. The fireplace in the ground floor bedroom to either be sheeted over & vented, or a sign fixed to it advising that the fireplace must not be used.
6. A door handle to be fitted to the kitchen door.
7. The standard of housekeeping and storage within the property to be improved.
8. The Certificate of Compliance and 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:**

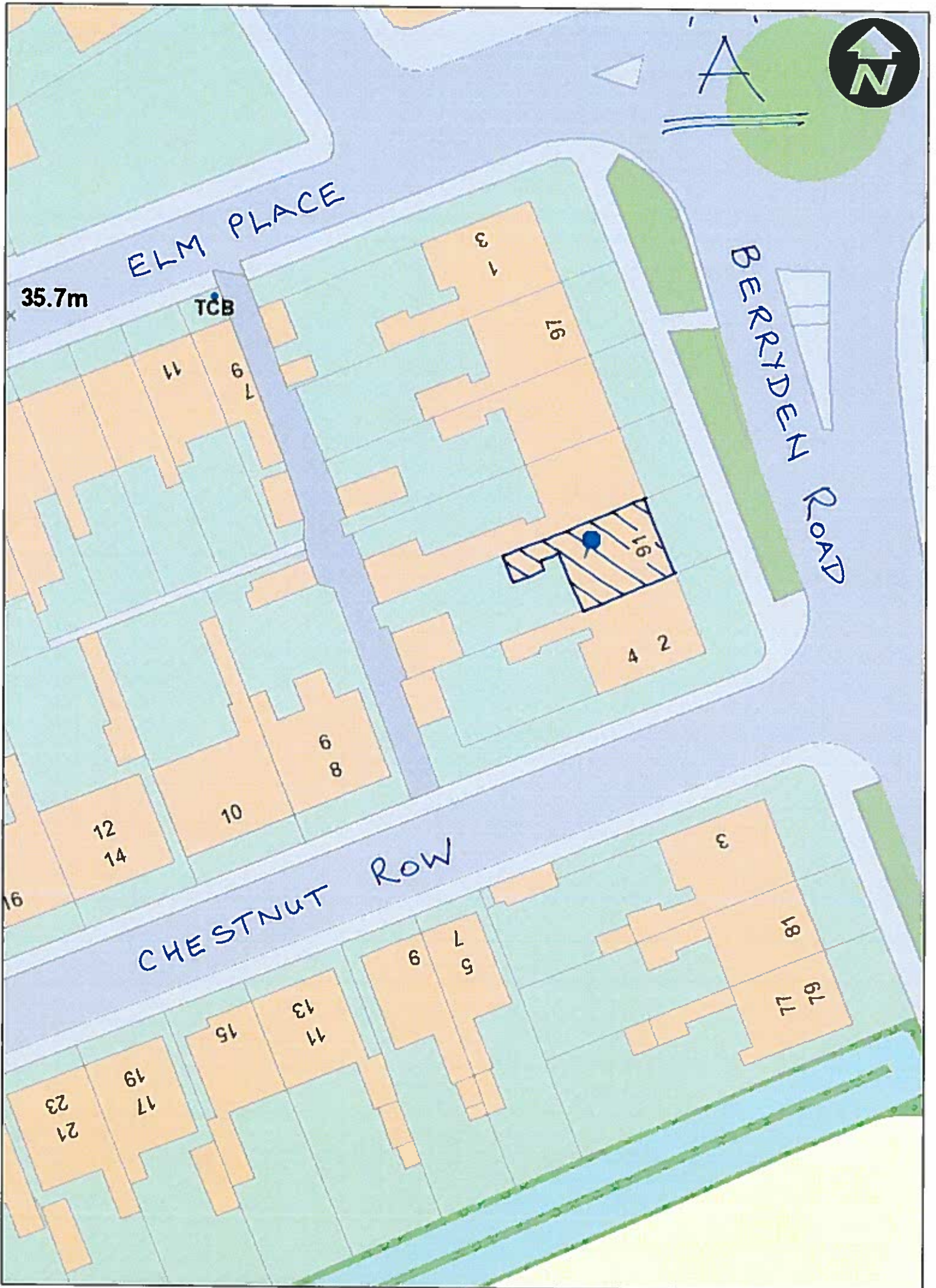
- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the 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 complaints of anti-social behaviour at No.91 Berryden Road, Aberdeen.
- The applicant and his property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 7 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 19 December 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 19 December 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, Communities, Housing & Infrastructure		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	7 December 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.148 Clifton Road, Aberdeen**

**Applicant/s: Sarah Elizabeth Morrison**

**Agent: Stonehouse Lettings**

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 19 December 2017 for the reason that one 'late' written representation was received by the HMO Unit.

I can advise you as follows:

**The HMO legislation**

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

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

**The premises:**

The property at No.148 Clifton Road, Aberdeen, is an end-terraced two storey house providing accommodation of 4 letting bedrooms, one public room, one kitchen & one bathroom. The plan attached as Appendix 'A' shows the position of the premises.

**The HMO licence application:**

The HMO licence application is dated 21 September 2017 and was received by the HMO Unit on 26 September 2017.

**Certificate of Compliance – Notice of HMO Application:**

The Certificate of Compliance submitted by the agent declares that the public Notice of HMO Application was on display outside the property between 21 September 2017 – 19 October 2017. Only the first 21 days are statutory, therefore the statutory period ended at midnight on 12 October 2017.

**'Late' letter of representation:**

One letter of representation was received by the HMO Unit outwith the statutory 21-day period. The legislation, however, allows the local authority to consider a late letter if it considers that it was reasonable for the respondent to submit the letter after the deadline for doing so. Accordingly, if the Committee decides to consider the late letter, copies will be circulated to Members at the meeting.

**History of 'late' letter:**

The respondents contacted the HMO Unit to enquire about the deadline for submission of a written representation, and were advised that if such a representation was received by the HMO Unit on 13 October 2017, the Committee must consider it. This information, whilst given in good faith, was incorrect from the HMO legislation point of view and resulted in the respondents submitting their letter one day 'late'. Unfortunately their letter was unsigned, but this was not noticed and they were invited to attend the meeting of the Licensing Committee on 7 November 2017. Whilst preparing the Committee report ahead of the November meeting, it was noticed that the letter of representation was unsigned and therefore not competent in terms of the licensing legislation, which requires that such a letter is "*signed by or on behalf of the respondent*". This requirement is clearly stated on the public Notice of HMO Application. A letter was issued to the respondents on 27 October 2017, advising that because their letter of representation was not competent, the HMO licence application had been withdrawn from the agenda of the November meeting and would not be considered by the Committee.

The respondents resubmitted their letter, albeit a signed copy, on 1 November 2017, some 20 days outwith the statutory 21-day period, and they have been invited to attend the Committee meeting on 19 December 2017, where the Committee will decide whether to consider their 'late' letter.

**Letter from agent:**

The applicant's agent submitted a letter in support of the licence application. If the Committee decides to consider the 'late' letter of representation, copies of the agent's letter will be circulated to Members at the meeting.

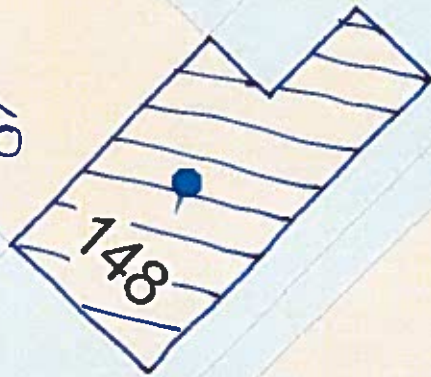
**Other Considerations:**

- Police Scotland has been consulted in respect of the applicant's suitability as 'fit & proper' persons, and has made no comment or objection.
- The Scottish Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.

- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has one record of a complaint alleging anti-social behaviour at No.148 Clifton Road. In August 2016, a neighbour complained that the tenants were speaking loudly in their rear garden at 11.30pm. No action was taken by the ASBIT team, and no further complaints have been received by that team.
- The applicant and her property are currently registered with the Landlord Registration database.
- The applicant has requested an occupancy of 4 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is to renew an HMO licence. The applicant was first granted an HMO licence for the property in February 2011.
- The Notice of HMO Application was correctly displayed on a lamppost in the position shown on the location plan, and an HMO Officer witnessed the Notice in place.
- All HMO upgrading works have not been completed and the relevant safety certification submitted. Accordingly, if the Committee is minded to grant the HMO licence, it may do so at the meeting on 19 December 2017.

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



156  
154  
152  
150  
PAVEMENT  
CLIFTON ROAD

146  
144  
142  
140

LB  
57.8m  
CLIFTON PLACE

17  
NOTICE OF  
HMO APPLICATION  
FIXED TO THIS  
LAMPPOST

163



1:250



## AGE CLASSIFICATION REQUEST

2017

*Belmont Filmhouse , 49 Belmont Street , Aberdeen*

Licensing  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College  
Aberdeen  
AB10 1AQ

29/09/2015

Dear Licensing,

FORMAL REQUEST FOR AGE CERTIFICATION FOR PUBLIC EXHIBITION

This is a formal request for Age Classification (utilizing the BBFC Guidelines) for THE BIG CLOCK which we intend to screen publicly as part of the GRANITE NOIR festival at the Belmont Filmhouse on Sunday 25<sup>th</sup> February.

Thank you

Colin Farquhar

Cinema Manager

Belmont Filmhouse



# THE BIG CLOCK

## SYNOPSIS

Anticipating a much-needed vacation from Earl Janoth (Charles Laughton), his abusive boss, magazine editor George Stroud (Ray Milland) finally reaches a breaking point when Janoth insists he skip his honeymoon and go out of town on assignment. Stroud resigns and finds solace over multiple drinks with his boss' unhappy mistress, Pauline York (Rita Johnson), at a local bar. Together they come up with a half-inebriated plot to embarrass Janoth -- but the plan takes an unexpected turn toward murder.

The Big Clock is a classic film noir crime thriller in the vein of the likes of The Big Sleep, Key Largo and Double Indemnity

## FILM DETAILS

Director: John Farrow. Run time: 1h 36m. Country of Origin: US. Year of Production: 1947.

SUGGESTED RATING UTILISING BBFC GUIDELINES

PG

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

Mild instances of smoking and drinking. No overt drunkenness. One instance of use of a gun.

LANGUAGE

None

NUDITY

None

SEX

None

THEME

Crime thriller with murder plot

## VIOLENCE

1 incident of murder with a blunt object. However incident appears off-camera. No gore or blood. 1 incident of punching. 1 use of a gun as a weapon. 1 fall of a person into a lift shaft.

Violence is unsustained and fairly mild when it does occur.

## CONTACT INFORMATION

COLIN FARQUHAR  
CINEMA MANAGER



**Tel** 01224 343500

Colin.farquhar@belmontfilmhouse.com

The Belmont Filmhouse

49 Belmont Street, Aberdeen AB10 1JS

**Tel** 01224 343500

## LICENSING COMMITTEE INFORMATION SHEET 19 December 2017

**TYPE OF APPLICATION:** APPLICATION FOR TEMPORARY STREET TRADER  
LICENCE

**APPLICANT:** FRESH APPROACH/SARAH ROWLAND

**PREMISES:** CITY CENTRE

### DESCRIPTION

- The application requires to be determined by 19 December 2017

### OBJECTIONS/REPRESENTATIONS

- N/A

### COMMITTEE GUIDELINES/POLICY

That no street trading be permitted in Union Street or any pedestrianised area in the City Centre save where a special case can be made out by the applicant or the licence holder as to why the Guideline should not apply.

### 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 19 December 2017

**TYPE OF APPLICATION:** APPLICATION FOR RENEWAL OF A STREET TRADER  
LICENCE

**APPLICANT:** MAUREEN ROSS  
**PREMISES:** EXPLORATION DRIVE

### DESCRIPTION

- The application requires to be determined by 14 May 2018

### OBJECTIONS/REPRESENTATIONS

- Moorfield Group

### COMMITTEE GUIDELINES/POLICY

N/A

### 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.**





Moorfield  
Group

Our Ref: Ref CP  
Your Ref: Ref

24 November 2017

[REDACTED]

Aberdeen City Council  
Marischal College  
Business Hub 6 LIS  
Broad Street  
Aberdeen  
AB10 1AB

[REDACTED]

**EXPLORATION DRIVE, EAST SIDE – 29 METRES NORTH OF THE JUNCTION WHERE  
EXPLORATION DRIVE MEETS CLAYMORE DRIVE, ABERDEEN ENERGY PARK, ABERDEEN**

**STREET TRADERS LICENCE**

[REDACTED]

**OBJECTION TO RENEWAL OF LICENCE**

We act on behalf of Aberdeen Energy Park Limited ("AEPL"), who are tenants under a ground lease by Aberdeen City Council of the affected premises known as Aberdeen Energy Park. The extent of AEPL's ground lease title is shown on the plan attached as Appendix 1.

We understand that a Street Trader's Licence was granted to [REDACTED] permitting her to operate a snack van as a Street Trader on the east side of Exploration Drive (29 metres north of the junction where Exploration Drive meets Claymore Drive), all in terms of the Civic Government (Scotland) Act 1982. The location of the snack van is shown on the plan attached as Appendix 1. Photographs of the snack van are also attached as Appendix 2. The snack van is located on a loop road within the boundaries of AEPL's ground lease title (known as the "Energy Park"). The loop road's main purpose is to facilitate access and egress to the Energy Park and surrounding areas and is publicly adopted.

[Moorfield.com](http://Moorfield.com)

10 Grosvenor Street, London, W1K 4QB  
T: 020 7399 1900 F: 020 7499 2114

Registered [REDACTED] 196

The snack van has been in situ since August 2016. The Licence is due to expire on 26<sup>th</sup> November 2017. We understand from correspondence with your Licensing department that the operator has not yet submitted an application for renewal.

**In the event that an application for renewal is forthcoming, on behalf of AEPL, we object to the renewal of the Licence on the following grounds:**

- **the premises are not suitable or convenient for the conduct of the activity having regard to (i) the location, character or condition of the premises, vehicle or vessel; (ii) the nature and extent of the proposed activity; and (iii) the possibility of undue public nuisance, public order or public safety; and**
- **there is other good reason for refusing the application.**

**The specific grounds of AEPL's objection are as follows:-**

- 1 In terms of the ground lease, AEPL are under an obligation to maintain a high class business environment for all sub-tenants, occupiers and third party users of the Energy Park. Aside from the adopted loop road (and associated footpath and verges) which are publicly maintained, AEPL manage all adjacent ground as a high quality landscaped environment. AEPL have invested substantially in the landscaping, signage, public realm and re-generation of buildings on the Energy Park in order to achieve this and will continue to do so. The presence of the snack van is considered to be detrimental to and at odds with the overall environment and character of the Energy Park, resulting in a negative image and adversely impacting on its wider use, amenity and the ability to attract high calibre occupants. The snack van is causing problems with litter control in the area – AEPL are charged with maintaining all the common landscaped areas including litter picking and this is adding to the estate maintenance costs. Customers of the snack van are forced to walk across grass that is maintained by Energy Park landscapers in order to be served, which has resulted in the grass being damaged and astro turf requiring to be laid at AEPL's cost (as shown in the photographs attached as Appendix 2).
- 2 AEPL have also invested heavily in the provision of high standard catering facilities at the Energy Park known as The Grub café to serve the sub-tenants, occupiers and third party users. The snack van is located close to The Grub café and is negatively affecting trade. In the event that the operators of The Grub café considered that it was no longer viable to continue trading, this would have a very significant and detrimental impact on the amenity and marketability of the Energy Park to potential occupants.
- 3 Since the granting of the Licence, the detrimental impact on the Energy Park include increased volume of traffic, increased congestion and parking on the loop road by vehicles (including cars, large trucks and lorries) which previously had no

cause to enter the Energy Park premises. The attached photos in Appendix 2 show a fairly typical daily occurrence of vehicles parking illegally on the double yellow lines located on the loop road. These double yellow lines were installed by the Council to address a previously noted problem of congestion and vehicles parking too close to this road junction. The location of the snack van and the attending vehicles has exacerbated this problem.

4 Under the ground lease by the Council to AEPL (which, as previously stated, includes the loop road on which the snack van is located), AEPL and their sub-tenants / occupiers are subject to strict use conditions, as follows:

- (i) purposes falling within use classes 4 and 5 of the Schedule to the Town & Country Planning (Uses Classes) (Scotland) Order 1997 ("the Order") where such businesses are significantly engaged in research and development of products and processes; and
- (ii) uses falling within use classes 1, 2, 3, 6, 10 and 11 of the Order where such uses are ancillary to the main uses carried on under the ground lease (as above).

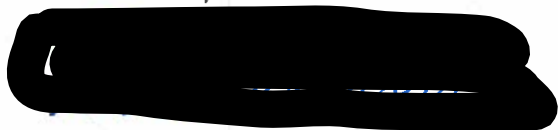
Accordingly, AEPL would be prohibited by the terms of their ground lease with the Council from permitting a Street Trader or snack van of this nature to occupy and use the Energy Park. It is therefore not appropriate for the snack van to be located on the loop road within the Energy Park; the Council have provided for restrictive uses within the terms of the ground lease which AEPL must comply with, but are then permitting, for all practical purposes within the Energy Park, an activity and use which would breach those ground lease terms if carried out or allowed by AEPL. We do not consider that this is appropriate nor in the spirit of the ground lease agreement and arrangements between the Council and AEPL.

5 We understand that the Licence was issued subject to the standard conditions applicable to a Street Trader's Licence under the Civic Government (Scotland) Act 1982. Standard Condition 11 requires that the Licence holder provides a bin or receptacle in close proximity to the van and, to the best of our knowledge and belief, this condition has not been complied with.

For the reasons stated above, it is not appropriate for street trading activities to continue at this location and the Licence should not be renewed on 26<sup>th</sup> November 2017.

We look forward to hearing from you in early course.

Yours faithfully



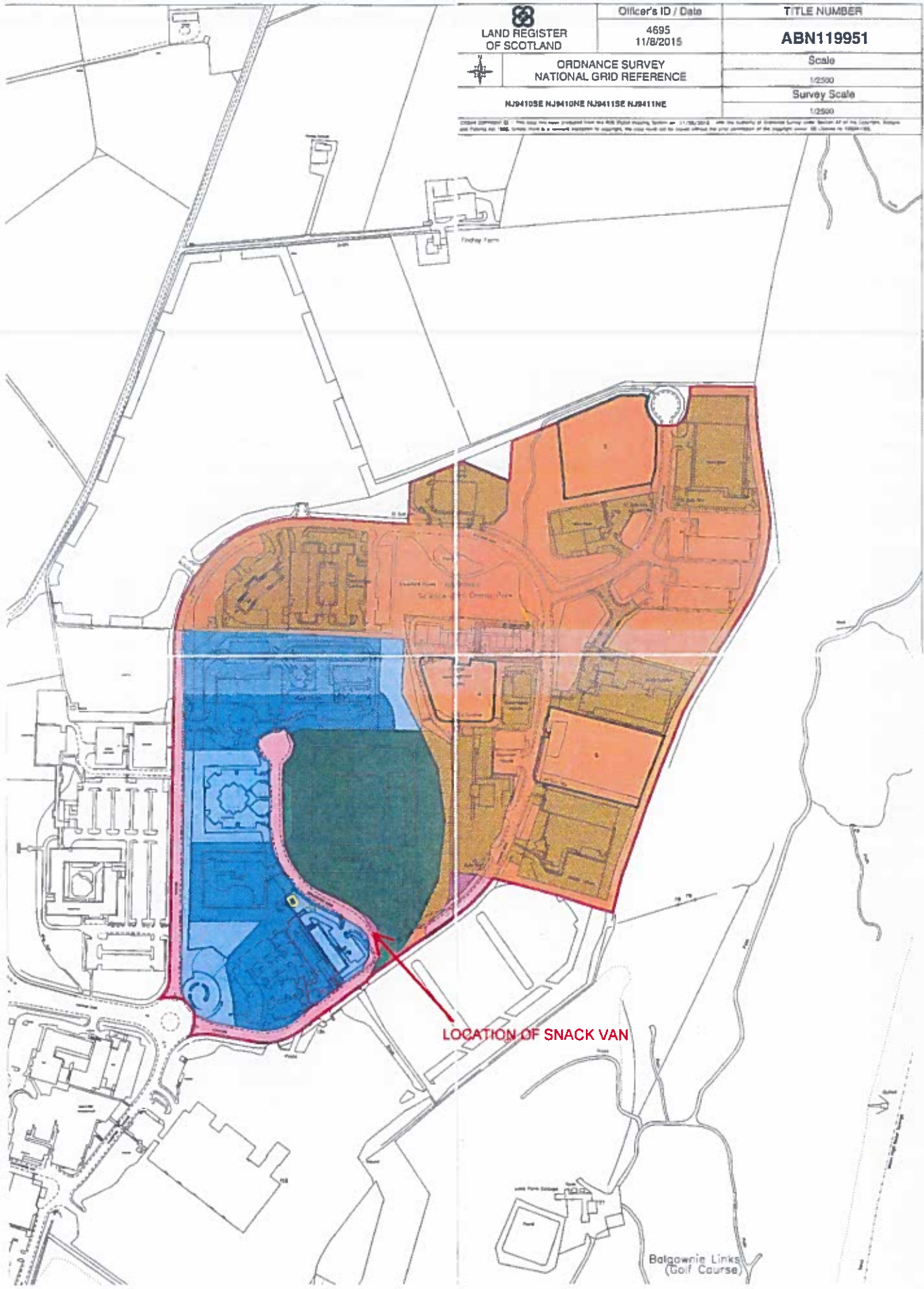
Head of Asset Management

[Moorfield.com](http://Moorfield.com)

10 Grosvenor Street, London, W1K 4QB  
T: 020 7399 1900 F: 020 7499 2114

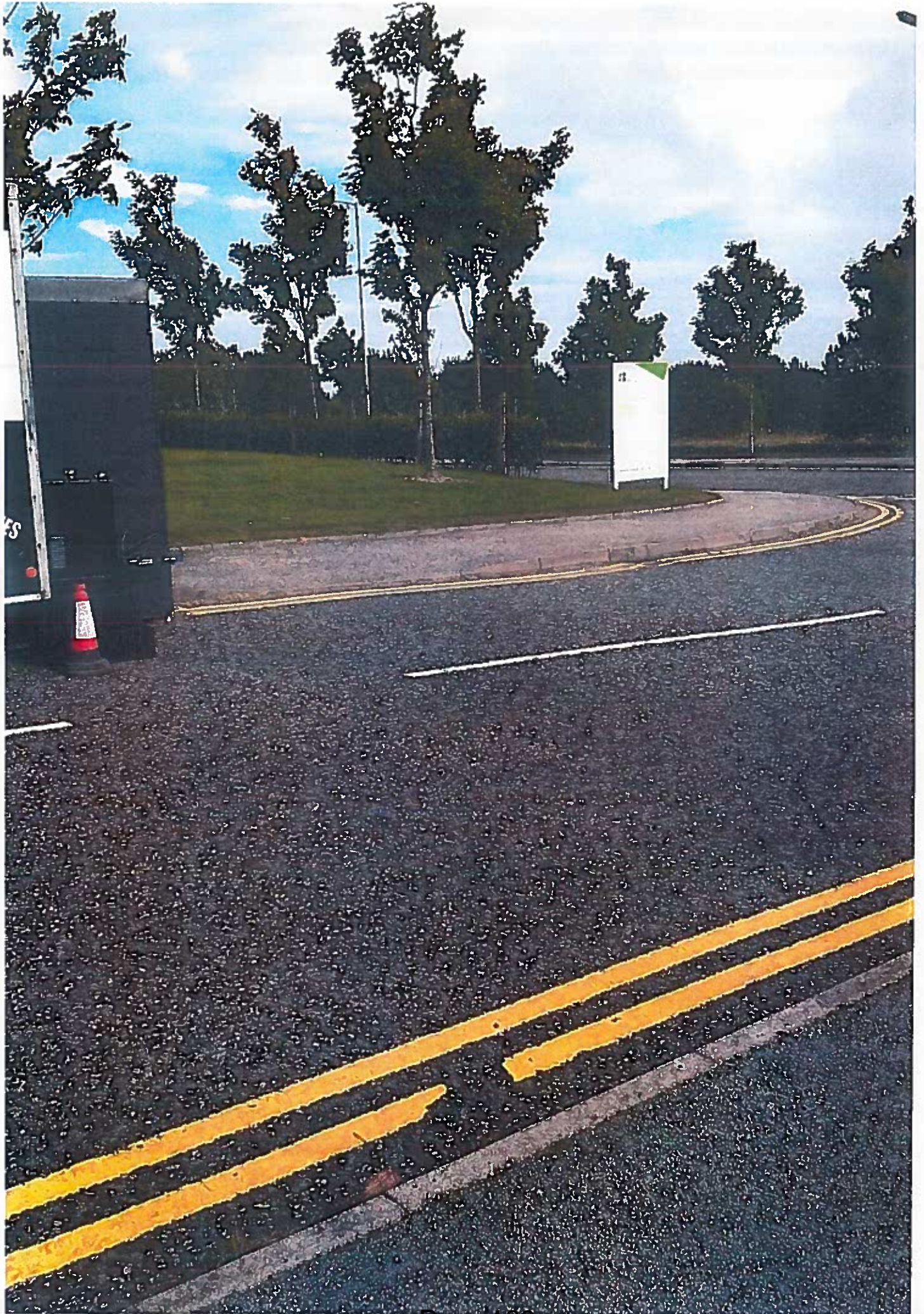
Registered in England No. 06196



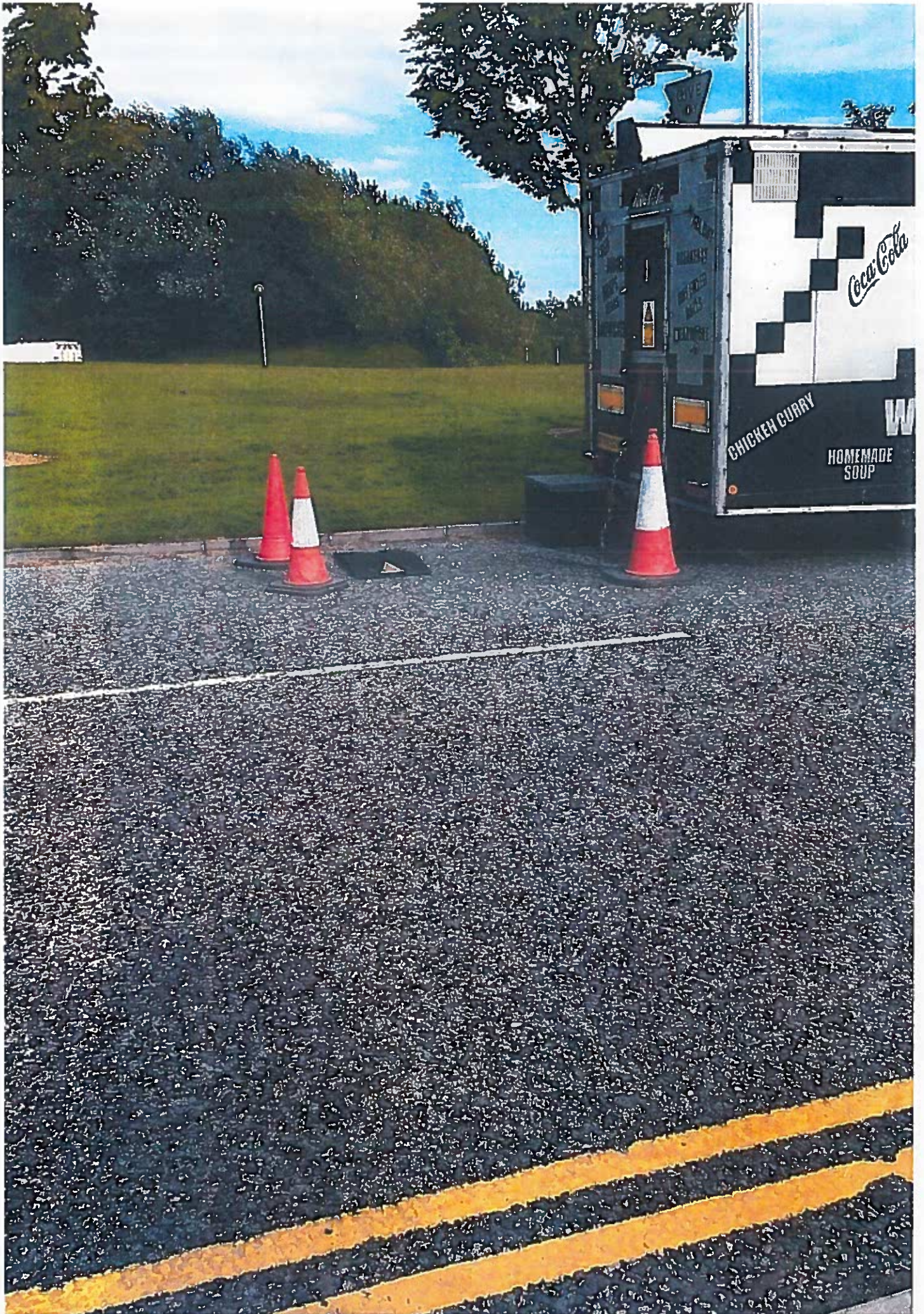














## LICENSING COMMITTEE INFORMATION SHEET 19 December 2017

**TYPE OF APPLICATION:** APPLICATION FOR RENEWAL OF A STREET TRADER  
LICENCE

**APPLICANT:** GARY ZYCIWSKI

**PREMISES:** N/A

### DESCRIPTION

- The application requires to be determined by 2 January 2018

### OBJECTIONS/REPRESENTATIONS

- The applicant requires a certificate of compliance from Environmental Health

### COMMITTEE GUIDELINES/POLICY

All street traders require a valid 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 19 December 2017

**TYPE OF APPLICATION:** APPLICATION FOR GRANT OF A SECOND HAND MOTOR DEALER LICENCE

**APPLICANT:** KEITH DONALDSON

**PREMISES:** 43 BALMORAL ROAD

### DESCRIPTION

- The application requires to be determined by 3 January 2018
- The applicant has not returned a signed display notice

### OBJECTIONS/REPRESENTATIONS

- N/A

### COMMITTEE GUIDELINES/POLICY

The Civic Government (Scotland) Act 1982 states that all applicants of a grant of a licence have to display a notice for 21 days to inform the public in the neighbourhood of the intended business, this then has to be signed and returned to the Licensing Authority after the 21 days.

### 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 19 December 2017

**TYPE OF APPLICATION:** APPLICATION FOR RENEWAL OF PUBLIC ENTERTAINMENT LICENCE

**APPLICANT:** SPORT ABERDEEN

**PREMISES:** ALEX COLLIE SPORT CENTRE

### DESCRIPTION

- The application requires to be determined by 12 January 2018
- The application has yet to receive a clear response from Building Standards

### OBJECTIONS/REPRESENTATIONS

- N/A

### COMMITTEE GUIDELINES/POLICY

- N/A

### 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 19 December 2017

**TYPE OF APPLICATION:** APPLICATION FOR RENEWAL OF PUBLIC ENTERTAINMENT LICENCE

**APPLICANT:** SPORT ABERDEEN

**PREMISES:** SHEDDOCKSLEY LEISURE CENTRE

### DESCRIPTION

- The application requires to be determined by 12 January 2018
- The application has yet to receive a clear response from Building Standards

### OBJECTIONS/REPRESENTATIONS

- N/A

### COMMITTEE GUIDELINES/POLICY

- N/A

### 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 19 December 2017

**TYPE OF APPLICATION:** APPLICATION FOR RENEWAL OF PUBLIC ENTERTAINMENT LICENCE

**APPLICANT:** SPORT ABERDEEN

**PREMISES:** PETERCULTER SPORTS CENTRE

### DESCRIPTION

- The application requires to be determined by 29 December 2017
- The application has yet to receive a clear response from Building Standards

### OBJECTIONS/REPRESENTATIONS

- N/A

### COMMITTEE GUIDELINES/POLICY

- N/A

### 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**

**19 DECEMBER 2017**

**TYPE OF APPLICATION:** Private Hire Driver Licence- GRANT

**APPLICANT:** Khayrul Islam      **LICENCE:** N/A

**INFORMATION NOTE**

Application accepted 04/07/2017.  
 Must be determined by 03/01/2018.

Applicant has not passed the street knowledge test. All applications for Private Hire Drivers licence submitted to ACC after 5pm on 23/12/2016 are required to sit the street knowledge test. Street knowledge test sat on 11/09/2017 – fail. Invited to sit again on 04/12/2017 – phoned to cancel.  
 In addition applicant has not provided proof of right to work in UK.  
 Interview booked for 08/12/2017.

**DESCRIPTION**

Grant of Private Hire Driver Licence

**CONSULTEES**

- Police Scotland

**OBJECTIONS/REPRESENTATIONS**

**COMMITTEE GUIDELINES/POLICY**

All PHD applicants to pass street knowledge test if not already done so.  
 All applicants for a driver licence (taxi or phc) must provide proof of right to work in UK under Immigration Act 2016.

**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

**19 DECEMBER 2017**

**TYPE OF APPLICATION:** Private Hire Driver Licence- RENEWAL

**APPLICANT:** Ala Eddin Al Sahar      **LICENCE:** PHD226

### INFORMATION NOTE

Application submitted 10/07/2017.  
Must be determined by 09/01/2018.

Applicant has not sat or passed the street knowledge test. All applications for Private Hire Drivers licence submitted to ACC after 5pm on 23/12/2016 are required to sit the street knowledge test. Street knowledge test booked for 04/12/2017 – failed. Booked in again for 18/12/2017.

### DESCRIPTION

Renewal of Private Hire Driver Licence

### CONSULTEES

- Police Scotland

### OBJECTIONS/REPRESENTATIONS

### COMMITTEE GUIDELINES/POLICY

All PHD applicants to pass street knowledge test if not already done so.

### 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

**19 December 2017**

**TYPE OF APPLICATION:** Private Hire Driver Licence- RENEWAL

**APPLICANT:** Sayed M A Misbaha      **LICENCE:** PHD234

### INFORMATION NOTE

Application submitted 28/07/2017.  
Must be determined by 27/01/2018.

Applicant has not sat or passed the street knowledge test. All applications for Private Hire Drivers licence submitted to ACC after 5pm on 23/12/2016 are required to sit the street knowledge test. Street knowledge test dates have been offered to Mr Misbaha on 23/10/2017, 20/11/2017 he has not attended. Further letter sent inviting Mr Misbaha on 04/12/2017.

Mr Misbaha has not supplied evidence of currently holding a full driver licence for a period of 12 continuous months (DVLA record).

### DESCRIPTION

Renewal of Private Hire Driver Licence

### CONSULTEES

- Police Scotland

### OBJECTIONS/REPRESENTATIONS

### COMMITTEE GUIDELINES/POLICY

All PHD applicants to pass street knowledge test if not already done so.  
All applicants must have held a full driving licence for a continuous period of 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

**19 DECEMBER 2017**

**TYPE OF APPLICATION:** Private Hire Driver Licence- RENEWAL

**APPLICANT:** David Flett

**LICENCE:** PHD220

### INFORMATION NOTE

Application submitted 18/07/2017.  
Must be determined by 17/01/2018.

Applicant has not sat or passed the street knowledge test. All applications for Private Hire Drivers licence submitted to ACC after 5pm on 23/12/2016 are required to sit the street knowledge test. Street knowledge tests have been offered for 23/10/2017 & 20/11/2017 – did not attend.

In addition applicant has not provided proof of right to work in UK.  
Interview booked for 08/12/2017.

### DESCRIPTION

Renewal of Private Hire Driver Licence

### CONSULTEES

- Police Scotland

### OBJECTIONS/REPRESENTATIONS

### COMMITTEE GUIDELINES/POLICY

All PHD applicants to pass street knowledge test if not already done so.  
All applicants for a driver licence (taxi or phc) must provide proof of right to work in UK under Immigration Act 2016.

### 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

19 DECEMBER 2017

**TYPE OF APPLICATION:** Taxi Driver Licence- Grant

**APPLICANT:** Rajneesh Rattan      **LICENCE:**

**INFORMATION NOTE**

Application submitted 21/06/2017.  
 Must be determined by 20/12/2017.

Applicant has not passed street knowledge test. Sat test on following dates:  
 2/10/2017 – fail.  
 07/11/2017 – fail  
 Booked on for 04/12/2017

**DESCRIPTION**

Grant of Taxi Driver Licence

**CONSULTEES**

- Police Scotland

**OBJECTIONS/REPRESENTATIONS**

**COMMITTEE GUIDELINES/POLICY**

All taxi drivers 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;

(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

**19 DECEMBER 2017**

**TYPE OF APPLICATION:** Private Hire Driver Licence- RENEWAL

**APPLICANT:** Dildar Syed      **LICENCE:** PHD210

### INFORMATION NOTE

Application submitted 11/07/2017.  
Must be determined by 10/01/2018.

Applicant has not sat or passed the street knowledge test. All applications for Private Hire Drivers licence submitted to ACC after 5pm on 23/12/2016 are required to sit the street knowledge test.

### DESCRIPTION

Renewal of Private Hire Driver Licence

### CONSULTEES

- Police Scotland

### OBJECTIONS/REPRESENTATIONS

### COMMITTEE GUIDELINES/POLICY

All PHD applicants to pass street knowledge test if not already done so.

### 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 OFFICERS INFORMATION SHEET

**TYPE OF APPLICATION:** Taxi Driver Licence- RENEWAL

**APPLICANT:** Terry Thornton    **LICENCE:** 0538

### INFORMATION NOTE

Application submitted 29/06/2017.  
 Must be determined by 28/12/2017.

Applicant has not provided proof of right to work in UK.  
 Interview booked for 06/12/17.

### DESCRIPTION

Renewal of Taxi Driver Licence

### CONSULTEES

- Police Scotland

### OBJECTIONS/REPRESENTATIONS

### COMMITTEE GUIDELINES/POLICY

All applicants for a driver licence (taxi or phc) must provide proof of right to work in UK under Immigration Act 2016.

### 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

**19 DECEMBER 2017**

**TYPE OF APPLICATION:** Taxi Operator Licence- RENEWAL

**APPLICANT:** John Noble      **LICENCE:** T059

### INFORMATION NOTE

Application submitted 26/07/2017.  
 Must be determined by 25/01/2018.

Applicant has held this licence prior 2000 (when computer records began).

Vehicle MK13 BXP was last tested on 13/10/2016 and that test expired on 31/01/2017.

### DESCRIPTION

Renewal of Taxi Operator Licence

### CONSULTEES

- Police Scotland

### OBJECTIONS/REPRESENTATIONS

### COMMITTEE GUIDELINES/POLICY

Policy & Taxi Licence Condition 5- Vehicle must pass 2 Hackney tests per 12 month period, one of which must coincide with the licence renewal (to ensure the vehicle is fit before 12 month licence granted).

### 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**

**19 DECEMBER 2017**

**TYPE OF APPLICATION:** Taxi Operator Licence- RENEWAL

**APPLICANT:** Yvonne Fallon

**LICENCE:** T592

**INFORMATION NOTE**

Application submitted 26/07/2017.  
Must be determined by 25/01/2018.

Applicant has held this licence since 17/08/2000.

Vehicle SF63 BDZ was last tested on 13/10/2016 and that test expired on 31/01/2017.

**DESCRIPTION**

Renewal of Taxi Operator Licence

**CONSULTEES**

- Police Scotland

**OBJECTIONS/REPRESENTATIONS**

**COMMITTEE GUIDELINES/POLICY**

Policy & Taxi Licence Condition 5- Vehicle must pass 2 Hackney tests per 12 month period, one of which must coincide with the licence renewal (to ensure the vehicle is fit before 12 month licence granted).

**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.**

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COMMITTEE	Licensing Committee
DATE	19 <sup>th</sup> December 2017
REPORT TITLE	Outcome of the Fee Review Proposal Consultation
REPORT NUMBER	CG/17/142
DIRECTOR	Fraser Bell
REPORT AUTHOR	Jenni Wilson

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**1. PURPOSE OF REPORT:-**

To report back to the Committee on the outcome of the fee review proposal consultation, and to seek a final decision on the future fee levels to be adopted from 20 December 2017.

**2. RECOMMENDATION(S)**

That the Committee:-

(a) accepts the Fee Proposal Option C set out in paragraph 3.6 below to take effect from 20<sup>th</sup> December 2017 and;

(b) accepts the proposal in paragraph 3.11 below in relation to Public Entertainment Licences to take effect from 20<sup>th</sup> December 2017.

**3. BACKGROUND/MAIN ISSUES**

3.1 Following a report to the Licensing Committee on 12<sup>th</sup> September 2017 members allowed a consultation on the Review of Civic and Miscellaneous Application Fees.

3.2 The previous report set out three options of fee review proposals. The financial implications of each of these is set out in the following table:-

	OPTIONS		
	A	B	C
<b>EXPENDITURE</b>	£	£	£
Expenditure based on 1617	91,110	91,110	91,110
20% of additional post	5,959	5,959	5,959
<b>TOTAL EXPENDITURE</b>	<b>97,069</b>	<b>97,069</b>	<b>97,069</b>
<b>INCOME</b>			
Income Based on 1617	(87,441)	(87,441)	(87,441)
Sex Shop New Fee Proposals	0	0	1,260
Sub Total	(87,441)	(87,441)	(86,181)
Option A - No increase	0		
Option B - 5% increase		(4,057)	
Option C - 10% increase			(8,114)
Income excluding increased PEL	(87,441)	(91,498)	(94,295)
Addition PEL 20 renewals 200 to 500 capacity	(2,100)	(2,100)	(2,100)
Additional PEL 2 renewals over 1500 capacity	(1,060)	(1,060)	(1,060)
<b>TOTAL INCOME</b>	<b>(90,601)</b>	<b>(94,658)</b>	<b>(97,455)</b>
<b>(SURPLUS)/DEFICIT</b>	<b>6,468</b>	<b>2,411</b>	<b>(386)</b>

#### 3.4 Option A: Substantially no change to overall fee levels.

- Public Entertainment Licences will be banded according to venue capacity
- Sex Shops will retain their current fee level.
- No change to all other fees

This would not cover the cost of the proposed new Licensing and Immigration Assistant post which is deemed to be necessary in order to carry out the additional work required as a result of the statutory requirements outlined in paragraph 4.5 above. With the additional cost of this Post and with the increase proposed in Public entertainment Licences, there would be a deficit of £6,468.

#### 3.5 Option B:

- Public Entertainment Licences will be banded according to venue capacity
- Sex Shops will retain their current fee level.
- Increase Civic fees (excluding taxis) by approximately 5%, rounded to the nearest £5



Assuming costs stay static, this would not be sufficient to cover the cost of the Licensing and Immigration Assistant post. (Income as per 16/7 on projected increase of 5% (retaining sex shops at their current fees and with the Public Entertainment Licence Increase) is £94,658. Costs would be £97,069 (to include new post.) This leaves a deficit of £2,411.

### 3.6 Option C:

- Public Entertainment Licences will be banded according to venue capacity
- Sex Shops will be reduced by approximately 20%.
- Increase Civic fees (excluding taxis) by approximately 10%, rounded to the nearest £5

Proposal C will remove the deficit in the administration of Civic Licensing and will allow the Licensing Service to move towards meeting its costs and its statutory responsibilities under the relevant legislation. It will also allow for the Licensing Team to have full staff capacity, with the costs of the necessary post of the (1FTE) Licensing and Immigration Assistant being covered. Income as per 16/17 on projected increase of 10% is 97,455 and costs would be £97,069 (to include new post) leaving a surplus of £386.

- 3.7 The cost of an application to Licence a Sex Shop is currently set at £5,250 for a 1 year grant and £3,150 for a 1 year renewal. It is proposed that in Option C these fees be reduced by 20%, in order to more accurately reflect the overall requirement that the total costs of the licensing system are met by the total amount of fees receivable.
- 3.8 Following the consultation, two responses were received. Both of these were in relation to Public Entertainment Licences. The first was an email from the Chairman of Garthdee Community Council. (Appendix 1) This email was a query about how community councils would be affected by the proposal to increase Public Entertainment Licences, and whether they would still have a discount. The Author responded to this query by email (Appendix 1) and also spoke on the telephone with the chairman to clarify matters. The chairman was happy that the community centre would still be eligible for discounted grants, given their capacity, and had no further comment to make on the fee proposals.
- 3.9 The second response to the consultation was an email from Aberdeen City Council's Events Team (Appendix 2) Their concern was that there are a number of Public Entertainment Licences which are granted for the use of events in the city's parks and open spaces, where the capacity is greater than 1500, and the majority of events which take place in them are community, charity or non-commercial activities. In the previous Report it was proposed that there be the same percentage increase for regular and discounted Public Entertainment Licences. This included a 100% increase in fees where capacity was over 1500 people under the discounted grant.
- 3.10 Taking into account the concerns for discounted grants raised by the Events Team, it is therefore proposed that discounted grants only have an increase of

5% where the capacity is less than 200, and an increase of 20% where the capacity is 200-1500 and also 1500 plus. This will still allow costs to be covered as per paragraph 3.6 as the estimated increase in fees referred to in the previous report was in respect of regular public entertainment licence applications, not discounted applications. It is proposed, that the fees therefore be increased as follows:-

#### Public Entertainment Licences

It is proposed that a fee scale should be introduced for public entertainment licences to reflect the volume of work associated with applications for different sizes of events.

- For events where there are less than 200 people attending, a 5% increase in fees is proposed.
- Where the capacity is from 200 to 1500, it is proposed to increase the fee by approximately 20%; and
- Where the capacity is above 1500, the fee proposed has been increased by approximately 100%.
- The committee previously decided that any non-commercial events would be charged a discounted fee for a public entertainment licence.
- It is therefore proposed that for discounted grants, the fee be increased by approximately 20% where capacity is over 200, and also where capacity is over 1500.

	<b>Period</b>	<b>Current</b>	<b>Proposed No. of attendees &lt;200</b>	<b>Proposed No. of attendees 200-1500</b>	<b>Proposed No. of attendees 1500+</b>
<b>Grant</b>	3 yrs	695	730	835	1390
<b>Discounted Grant</b>	3 yrs	174	185	210	210
<b>Renewal</b>	3 yrs	530	555	635	1060
<b>Discounted renewal</b>	3 yrs	132	140	160	160
<b>Variation</b>	N/A	273	285	330	550
<b>Discounted Variation</b>	N/A	71	75	85	85
<b>Temporary</b>	6 wks	324	340	390	650
<b>Discounted Temporary</b>	6 wks	81	85	95	95

#### **4. FINANCIAL IMPLICATIONS**

The Civic Government (Scotland) Act 1982 gives the Council power to set fees for individual civic licenses in order to recover the cost of providing the civic licensing service. In setting the fees, the Council must ensure that the income received by the Council "is sufficient to meet the expenses of the Authority" in exercising their functions under the Act. Under no circumstances should the Civic Licensing structure be regarded as a revenue-raising function. The proposed fees in Option C move towards cost recovery to the

Licensing Authority, taking into account the projected costs required to be covered in 17/18.

## 5. LEGAL IMPLICATIONS

The Licensing Authority is under a statutory duty under the Civic Government (Scotland) Act 1982 to review its fees from time to time and ensure that the total amount of fees receivable by the authority is sufficient to meet the expenses of the Authority” in exercising their functions under Parts I, II and Schedule 1 of the Act.

## 6. MANAGEMENT OF RISK

- Financial

6.1 If Members were minded to maintain fees at the current level the licensing authority would not be able to meet its statutory obligations and move towards full cost recovery. Adoption of Option B would result in a similar outcome as once the usual level of staff costs are covered, the income received would be insufficient to allow the creation of the proposed new post of the (1FTE) Licensing and Immigration Assistant as there would still be a deficit.

- Employee

6.2 There is no risk to employees arising from the recommendations of this report

- Customer/Citizen

6.3 There is a risk to customers in that their fees will be increased.

- 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 Implications as per paragraph 5 of this report.

- Reputational

6.7 There is no reputational risk arising from the recommendations of this report.

## **7. IMPACT SECTION**

### **Economy**

7.1 Any increase in application fees may have an adverse effect on business and applicants for licences, particularly in the current economic climate in Aberdeen, but this has to be weighed up against the licensing authority's ability to carry out its functions and statutory requirement to meet its expenses. To mitigate any increase Members may wish to consider particular licence types or sectors individually. A full consultation has been carried out.

### **People**

7.2 An Equality and Human Rights Impact Assessment was not necessary as the report has no impact in terms of the public sector equality duty or people with protected characteristics.

### **Place**

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

### **Technology**

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

## **11. BACKGROUND PAPERS**

- [Review of Civic and Miscellaneous Application Fees Report](#)
- Civic (Scotland) Act 1982
- Air Weapons and Licensing (Scotland) Act 2015

## **13. APPENDICES (if applicable)**

Appendix A – Email Correspondence with Garthdee Community Council  
Appendix B – Email correspondence from Aberdeen City Council Events Team

## **14. REPORT AUTHOR DETAILS**

Jennifer Wilson  
Team Leader Licensing  
JeWilson@aberdeencity.gov.uk  
01224 523581

## HEAD OF SERVICE DETAILS

Fraser Bell  
Head of Legal and Democratic Services  
[frbell@aberdeencity.gov.uk](mailto:frbell@aberdeencity.gov.uk)  
01224 522084

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**From:** Paul O' Connor MBE  
**Sent:** 21 September 2017 15:52  
**To:** Jennifer Wilson  
**Cc:** 'Geoff Cooper'; CityEvents; DL-CG-Legal-Licensing  
**Subject:** RE: Review of Licensing Fees 2017  
**Importance:** High

Hello Jenni,

Thanks for the email and for your time on the phone just now. Your clarity on this is very useful and appreciated.

Many thanks for the efforts,

Regards,

Paul.

Paul O' Connor MBE  
Burgess of the city of Aberdeen  
Chairman & Manager Inchgarth community centre  
Chairman Garthdee community council  
Chairman Garthdee liaison group  
Chairman Aberdeen community centre forum  
Director ACVO  
Aboyne Place, Garthdee  
AB10 7DR

**Inchgarth community centre- The Queens Award For Voluntary Service 2017- an MBE**



**From:** Jennifer Wilson [  
**Sent:** 21 September 2017 14:46  
**To:** Inchgarth CC  
**Cc:** 'Geoff Cooper' CityEvents <[i](mailto:geoff.cooper@aberdeencity.gov.uk)>; DL-CG-Legal-Licensing <[DL-CG-Legal-Licensing@aberdeencity.gov.uk](mailto:DL-CG-Legal-Licensing@aberdeencity.gov.uk)>  
**Subject:** FW: Review of Licensing Fees 2017  
**Importance:** High

Hi Paul,

Many thanks for your email, which has been passed to me.

The Report does not set out to change who would be eligible for discounted grants for PELs. Community Centres who are already eligible for a discounted grant will continue to receive this discount. It is proposed that the fees be increased as per the table in the Report, i.e. by the number of attendees. There is still significant discount for 'discounted PELs' compared to the regular fee.

I hope this clarifies matters, but please don't hesitate to get in touch with me, should you require any further info.

Kind Regards

Jenni Wilson | Team Leader | Licensing | Legal and Democratic Services | Corporate Governance |  
Aberdeen City Council | Business Hub 6 | Level 1 South | Marischal College | Broad Street |  
Aberdeen | AB10 1AB | Tel 01224 523581 |

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**From:** Paul O' Connor MBE [  
**Sent:** 15 September 2017 13:22  
**To:** Arlene Dunbar  
**Cc:** 'Geoff Cooper'; CityEvents; 'Scott Beattie';  
**Subject:** RE: Review of Licensing Fees 2017  
**Importance:** High

Good afternoon,  
Thank you for sending the attachment, appreciated.

Please can you confirm to me how these proposed increases will impact organisations like community centres. Traditionally we are given a significant discount on the public entertainment licences. The table does suggest discount will still be given, however it also states that the majority of 200+ venues will not receive this due to being of a commercial nature.

Several community centres can accommodate more than 200 people but such events will be of a community nature and non profit making.



I would be most grateful for clarity that community centre's will not be subjected to significant price increase for such licences please prior to Inchgarth and Garthdee community council feeding into the consultation process. Indeed this will be useful information for me to relay to my colleagues across the city.

Thanks so much for your time and effort on this matter.

Best wishes,  
Paul.

Paul O' Connor MBE  
Burgess of the city of Aberdeen  
Chairman & Manager Inchgarth community centre  
Chairman Garthdee community council  
Chairman Garthdee liaison group  
Chairman Aberdeen community centre forum  
Director ACVO  
Aboyne Place, Garthdee  
AB10 7DR

### Inchgarth community centre- The Queens Award For Voluntary Service 2017- an MBE



**From:** Arlene Dunbar [  
**Sent:** 15 September 2017 12:53  
**Cc:** Geoff Cooper < CityEvents <  
**Subject:** FW: Review of Licensing Fees 2017

Apologies please find attached the fees options.

Regards

**We are collecting feedback on our customer service so we would be grateful if you could take a couple of minutes to tell us how we did. Please use the link below to complete our short survey.**



Accredited Paralegal | Licensing | Legal and Democratic Services | Corporate Governance |  
Aberdeen City Council | Business Hub 6 | Level 1 South | Marischal College | Broad Street |  
Aberdeen | AB10 1AB | Tel 01224 522449 or 523411 | Fax 01224 522937  
[jdunbar@aberdeencity.gov.uk](mailto:jdunbar@aberdeencity.gov.uk)

**From:** Licensing  
**Sent:** 15 September 2017 12:48  
**Cc:** Geoff Cooper CityEvents  
**Subject:** Review of Licensing Fees 2017

Dear Licence Holder

## Review of Licensing Fees 2017

A wholesale review has been carried out in relation to the scale of fees which Aberdeen City Council charges for issuing a range of civic licences.

The Licensing Committee accepted that the fee options in the attached document are to be the subject of a month-long consultation, commencing on 18<sup>th</sup> September 2017 and ending on 11<sup>th</sup> October 2017. A further report, together with any comments you make, will be put before the Licensing Committee on 19 December 2017. If the proposed increases are approved in December, they will take effect from 1 January 2018.

We would like to hear your views, particularly if you currently hold one of the licences likely to be affected by the proposals.

We would welcome your comments by **11 October 2017** being made by email to [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk); or by writing to the Licensing Team, Business Hub 6, Level 1 South, Marischal College, Broad Street, Aberdeen, AB10 1AB.

**We are collecting feedback on our customer service so we would be grateful if you could take a couple of minutes to tell us how we did. Please use the link below to complete our short survey.**



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Aberdeen City Council | Business Hub 6 | Level 1 South | Marischal College | Broad Street |  
Aberdeen | AB10 1AB | Tel 01224 522449 or 523411 | Fax 01224 522937

**From:** Stephen O'Neill  
**Sent:** 18 September 2017 14:51  
**To:** Licensing; Jennifer Wilson  
**Cc:** Dawn Schultz; CityEvents  
**Subject:** FW: Review of Licensing Fees 2017

Good afternoon,

I note that the proposed Fee Review Options document does not take in to account the use of parks and open spaces for events which require a temporary licence, it appears to have been written with static commercial venues in mind and therefore does not take account the negative impact that the proposed changes will have on the non-commercial events which serve the people of Aberdeen.

*“Where the capacity is above 1500, the fee proposed has been increased by approximately 100%. Given the small number of venues in Aberdeen City that possess a capacity above 1500, it is expected that there will be a small number of such applications. Though the discounted fee for such applications has been calculated here for completeness, it is anticipated that the vast majority events of 200+ capacity are likely to be commercial in nature and ineligible for that discount. The committee previously decided that any non-commercial events would be charged a discounted fee for a public entertainment licence.”*

The above statement does not cover PEL's which are granted for the use of events in the City's parks and open spaces. The Capacity of all of our parks and open spaces is far greater than 1500 and the majority of events which take place in them are community, charity or non-commercial activities.

*“1.9 This proposed change will therefore allow the fee structure to accurately represent the broad costs of licensing and enforcing a range of public events without negatively impacting smaller community and charity functions that will still require such licences and will also be eligible for the discounted rate.”*

I do not believe the above to be a true reflection of the impact that the proposed changes will have to community, charity or council run events which are free of charge. The definition of “smaller” when reviewing venues in the city differs greatly when considered in the terms of an outdoor event. For example the below charity / community / non-commercial events would see an 100% increase based on the proposed changes:-

Aberdeen Mela: Capacity 6000  
Jazz on the Green: Capacity 2500  
Anchor Wipe Out: Capacity 1000  
Friends of Duthie Park: Capacity 5000  
Friends of Seaton Park: Capacity 1000  
Celebrate Aberdeen: Capacity 2000  
ACC Hogmanay: Capacity 5000  
ACC Fireworks: Capacity 15000

I can understand the rationale for weighting events based on their capacity for events which are commercial in nature or charge an entry fee as the greater the capacity equals an increased income but for events which are free of charge it will place an unfair burden. With free events, the greater the capacity the higher the cost in delivering the event safely. Therefore it does not make sense to burden these charitable/community organisers with additional costs because their event has a large footfall – these events will often be the ones which support greater inclusion and access to people who would not normally be able to afford to attend commercial events.

As with all types of licence applications, it is inevitable that more straightforward applications will cost less to administer than more complex ones. It is not required, nor is it the aim of the Licensing structure to match costs and expenditure penny for penny. Such a system would require costs to be charged back to the applicant after the licence had been granted and would be based on a level of time recording that would prove extremely onerous, especially given the fact that such work is split across several officers in multiple Council Services.

Out of interest; what is the workload difference between a straightforward and a complex application (other than the time it takes consultees to review and prepare a response) and is this directly linked to the capacity of the event or are there other considerations?

In order to ensure that there is no additional burden on community, charity and non-commercial events, and that the statements made within the report are factual, the above must be addressed before a final report is considered at committee. I believe, and strongly recommend that, the fees for Discounted Temporary Licenses (which would cover all of the events named above) remains static.

I would appreciate a response to my comments above and further information as to the next step of the process following consultation.

Kind regards,  
Stephen O'Neill  
Senior Events Officer

Economic Development  
Communities Housing & Infrastructure  
Aberdeen City Council  
First Floor, Old Town House  
Broad Street  
Aberdeen  
AB10 1AQ

Tel: 01224 522956

**From:** Arlene Dunbar

**Sent:** 15 September 2017 12:53

**Cc:** Geoff; CityEvents

**Subject:** FW: Review of Licensing Fees 2017

Apologies please find attached the fees options.

Regards

**We are collecting feedback on our customer service so we would be grateful if you could take a couple of minutes to tell us how we did. Please use the link below to complete our short survey.**





**From:** Licensing  
**Sent:** 15 September 2017 12:48  
**Cc:** Geoff Cooper; CityEvents  
**Subject:** Review of Licensing Fees 2017

Dear Licence Holder

## Review of Licensing Fees 2017

A wholesale review has been carried out in relation to the scale of fees which Aberdeen City Council charges for issuing a range of civic licences.

The Licensing Committee accepted that the fee options in the attached document are to be the subject of a month-long consultation, commencing on 18<sup>th</sup> September 2017 and ending on 11<sup>th</sup> October 2017. A further report, together with any comments you make, will be put before the Licensing Committee on 19 December 2017. If the proposed increases are approved in December, they will take effect from 1 January 2018.

We would like to hear your views, particularly if you currently hold one of the licences likely to be affected by the proposals.

We would welcome your comments by **11 October 2017** being made by email to [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk); or by writing to the Licensing Team, Business Hub 6, Level 1 South, Marischal College, Broad Street, Aberdeen, AB10 1AB.



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## ABERDEEN CITY COUNCIL

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COMMITTEE	Licensing Committee
DATE	19 December 2017
REPORT TITLE	Ban on Taxi Surcharge for Credit and Debit Cards in Light of HM Treasury Announcement
REPORT NUMBER	CG/17/143
DIRECTOR/HOS	Fraser Bell
REPORT AUTHOR	Lynn May

---

### **1. PURPOSE OF REPORT:-**

- 1.1 To request that the Licensing Committee note the announcement from HM Treasury that all surcharges for making payments by credit or debit card will come to an end on 13 January 2018 and instruct the Head of Legal and Democratic Services to take the necessary steps required to facilitate compliance with the second EU Payment Services Directive

### **2. RECOMMENDATION(S)**

- 2.1 That the Committee:-

1. Notes that the Government, HM Treasury, made an announcement on 19 July 2017 unveiling new rules, resulting from the implementation of the second EU Payment Services Directive, which will mean that surcharges for making payments by credit or debit card will be prohibited from 13 January 2018, and that there is no transition period for the provision.
2. Instructs the Head of Legal and Democratic Services to write to all holders of taxi and private hire car licences to advise them:-
  - (a) That they will be prohibited from charging customers the credit/debit card surcharge, currently on the Taxi Tariff Card, from 13 January 2018;
  - (b) That licence holders will require to consult their card machine providers or amend their card machines as soon as possible in order to remove the credit/debit card surcharge from 13 January 2018;

- (c) That a new Taxi Tariff Card with the credit/debit card surcharge removed will be made available on the Council's website from 13 January 2018 and thereafter will be issued to licence holders after the completion of the next Taxi Fare Review in the Summer of 2018. Licence holders will be advised that they should black out/delete the surcharge from their current Tariff Cards from 13 January 2018.
3. Instruct the Head of Legal and Democratic Services to publicise in the media, for the benefit of users, that taxis and private hire cars with meters will not be able to charge customers the credit/debit card surcharge from 13 January 2018 and any complaints about overcharging should be made to the City Council's Licensing Enforcement Officers or Trading Standards Officers.

### **3. BACKGROUND**

- 3.1 An announcement was made by HM Treasury on 19<sup>th</sup> July (Appendix 1) stating that all surcharges for credit and debit card payments will come to an end as a result of the need to comply with the Second Payment Services Directive. HM Treasury confirmed to Aberdeen City Council by email on 21<sup>st</sup> July 2017 that the ban comes into effect on 13<sup>th</sup> January 2018 and that there is no transition period for the provision. A copy of the email is attached to this report (Appendix 2).
- 3.2 Prior to this a complaint had been made to the Licensing Team by a passenger who had been charged a surcharge on a card payment in a taxi. Upon looking into this it came to light that the current regulation which applies to all businesses prohibits traders in the United Kingdom from charging consumers more than the direct cost borne by the trader for the use of a given means of payment. The reason for these provisions was to ban excessive payment surcharges being charged to consumers, while allowing traders to recover the fees directly charged to businesses for taking certain types of payments from consumers. This aimed to increase price transparency and make payment surcharges cost reflective.
- 3.3 As a result of the above complaint and the subsequent investigation a draft report was prepared for the meeting of the Committee on 12 September proposing to amend the current taxi tariff and make an amendment to the current licence conditions for taxis and private hire cars in order to comply with the regulations. However in light of the announcement from HM Treasury on 19 July 2017 (Appendix 1), that as of 13<sup>th</sup> January 2018 all surcharges in relation to credit and debit charges would be banned, the report was removed from the draft agenda for the September Licensing Committee and a new report prepared for this meeting.



- 3.4 The Licensing Committee as part of its last Taxi Fare Review, as in previous years, included a 10% surcharge on fares when the customer pays by debit or credit card. It is now clear that this is currently against regulations as businesses can only pass on charges that genuinely reflect their costs. A copy of the current Taxi Tariff Card is attached to this report (Appendix 3).
- 3.5 The Second Payment Services Directive was approved by the European Parliament and Council in late 2015 and came into force on 13 January 2016. As a result of a consultation on the Directive, in July 2017, the Government decided to extend the surcharging ban to all retail payment instruments e.g. all debit and credit cards. The Government agreed that this ban will provide a clearer picture for consumers and a level playing field between payment instruments. Consumers should be able to know the full price of the product or service they are purchasing upfront and confident that there will be no additional charges when they come to pay whatever payment instrument they chose to use. A blanket ban on surcharging for all payment instruments will also be much easier to enforce than the current position in which retailers/ service providers are able to pass on costs, but often the consumer has no easy way of assessing what these costs are. The UK Government implemented the Second Payment Services Directive and the surcharging ban into law by introducing the Payment Services Regulations 2017. We require to comply with the requirements of the regulations from 13 January 2018

#### **4. FINANCIAL IMPLICATIONS**

- There are no direct financial implications as a result of the recommendations in this report.

#### **5. LEGAL IMPLICATIONS**

- 5.1 The United Kingdom Government have decided, in order to implement the second EU Payment Services Directive, to ban surcharges on all retail payment instruments e.g. payments by credit and debit card. This ban will take legal effect in the United Kingdom, by way of the Payment Services Regulations 2017, on 13 January 2018 and therefore Aberdeen City Council as licensing authority for Taxis and Private hire cars requires to ensure that such surcharges are not added to regulated taxi fares from the relevant date.

#### **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 Implementation of the recommendations would move towards protecting the citizens of Aberdeen and visitors to the City hiring taxis and private hire cars from the risk of being charged excessive fees in contravention of the second EU Payment Services Directive by ensuring that we take steps to comply with the HM Treasury announcement and the Payment Services Regulations 2017.
- 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 Implications as per paragraph 5.1.
- Reputational
- 6.7 There is no direct risk of reputational damage arising from the recommendations in the report.

## 7. IMPACT SECTION

### **Economy**

- 7.1 There may be some impact on the local economy arising from the recommendations, for example businesses, such as taxi and private hire operators, will no longer be able to pass their bank charges for card payments onto their customers. This could then potentially have an impact on the prices charged for goods and services.

### **People**

7.2 There is no impact on the people arising from the recommendations.

**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 – Announcement from HM Treasury  
Appendix 2 – Email from HM Treasury  
Appendix 3 – Current Taxi Tariff Card

**10. REPORT AUTHOR DETAILS**

Lynn May  
Solicitor, Licensing  
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01224 523173

**HEAD OF SERVICE DETAILS**

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News story

## Rip-off card charges to be outlawed

From:

[HM Treasury](#)

Published:

19 July 2017

Rip-off card charges will be consigned to history, after Ministers act to end these unfair fees for millions of people across the country.

The government is unveiling new rules that will mean card-charging in Britain - where people can be charged 20% extra for purchases like a flight just for paying with a credit card - will come to an end in January.

‘Surcharging’ is common practice across the country - with businesses ranging from takeaway apps to global airlines charging people to make card payments or for other services such as Paypal. While many industries have acted to absorb the cost and not pass these on to consumers, these rules will bring an end to the practice entirely.

Read the consultation outcome, ‘[Implementation of the revised EU Payment Services Directive \(PSDII\)](#)’

The rules will also tackle surcharging by local councils and government agencies.

In 2010, the total value of surcharges for debit and credit cards was an estimated £473 million.

The Economic Secretary to the Treasury, Stephen Barclay, said:

Rip-off charges have no place in a modern Britain and that’s why card charging in Britain is about to come to an end.

This is about fairness and transparency, and so from next year there will be no more nasty surprises for people at the check-out just for using a card.

These small charges can really add up and this change will mean shoppers across the country have that bit of extra cash to spend on the things that matter to them.

The government has previously capped the costs that businesses face for processing card payments, and will engage with retailers to assess if there is any more that can be done to help.

This action forms part of our wider help for families with the cost of living by helping to raise their incomes and keep more of what they earn.

**Document information** Published: 19 July 2017 From: [HM Treasury](#)

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**From:** Patel, Measha - HMT  
**Sent:** 21 July 2017 12:23  
**To:** Lynn Jess May  
**Cc:** Alder, Matthew - HMT; Jennifer Wilson  
**Subject:** RE: Ban on Credit/Debit Car Surcharges - Announcement Today- When will Ban actually take effect?

Hi Lynn May,

Many thanks for getting in touch with the Treasury in regards to the announcement on the ban surcharging.

I can confirm that the ban does come in to effect on 13 January 2018 and that there is no transition period for the provision.

Let me know if you have any other questions.

Best wishes,  
Measha

**Measha Patel** | Payments Policy Advisor | Banking and Credit | Financial Services  
HM Treasury, 1 Horse Guards Road, London, SW1A 2HQ  
| [www.gov.uk/hm-treasury](http://www.gov.uk/hm-treasury)

**From:** Lynn Jess May]  
**Sent:** 19 July 2017 14:13  
**To:** Enquiries, CEU - HMT  
**Cc:** Jennifer Wilson  
**Subject:** Ban on Credit/Debit Car Surcharges - Announcement Today- When will Ban actually take effect? (FSER, bank card surcharges)  
**Importance:** High

Dear Sirs

As you will be aware the UK Government has today announced with regard to the implementation of the revised EU Payment Services Directive that they intend to ban all surcharges for payments by credit/debit card from January 2018.

The reason I am contacting you is that at Aberdeen City we have for some time had a 10% surcharge in our taxi fare structure for payments by debit or credit card. Our current taxi fare structure came into force on 23 January 2017, only after this was it brought to our attention that the 10% surcharge was now incompatible with current legislation. We were therefore in the process of amending our fare card and Taxi Licence conditions to ensure that operators only passed on any fee, as a surcharge to customers paying by card, which was no more than the fees directly charged to the trader for using that credit or debit card to take payment, in line with the regulations. As we would have to use the variation

procedure in paragraph 10 of Schedule 1 to the Civic Government (Scotland) Act 1982 to amend the conditions, to bring these changes into effect, we now have concerns about the timescale given the Government's announcement. The initial report is going to our Licensing committee on 12 September and the licensing holders will be consulted and invited to attend the meeting on 7 November 2017. If the ban announced is actually going to come into force in January 2018 there may be no point in us proceeding with our planned course of action to change the conditions and we will just wait and scrap the surcharge with our next fare review which will coincide with the ban coming into place early next year.

I would be obliged if you could assist us at all in confirming whether this ban on surcharge payments will actually take effect from January 2018 or whether it is anticipated it won't actually take effect till a later date.

Our report requires to be finalised and put out for consultation from 25 July so I would be very grateful for an early response.

Kind Regards

Lynn May

**We are collecting feedback on our customer service so we would be grateful if you could take a couple of minutes to tell us how we did. Please use the link below to complete our short survey.**

**Lynn May**  
Solicitor  
Licensing

Legal and Democratic Services | Corporate Governance | Aberdeen City Council | Business Hub 6 | Level 1 South | Marischal College | Broad Street | Aberdeen | AB10 1AB | Tel 01224 523173 | Fax 01224 522937



**NOTICE TO BE PROMINENTLY DISPLAYED IN VEHICLE**



**ABERDEEN  
CITY COUNCIL**

**CITY OF ABERDEEN  
LICENSING OF TAXIS AND PRIVATE HIRE CARS  
MAXIMUM CHARGES APPLICABLE TO HIRE OF TAXIS AND PRIVATE HIRE CARS FITTED WITH TAXI  
METERS – WITH EFFECT FROM 23 JANUARY 2017**

**Basic Tariff**

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

**Extras**

(A) **Waiting**

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

(B) **Surcharges**

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

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

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

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

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

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

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

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

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

(8) For each hiring dropping passengers at the inner forecourt of the airport (Non-airport zoned taxis only) **£2.00**

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

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

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

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

## **EXPLANATORY NOTES.**

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

**Website:** For explanatory notes about the tariff & other taxi/private hire car information see [aberdeencity.gov.uk](http://aberdeencity.gov.uk).

**Complaints:** Any complaints should be made to the Licensing Department by telephoning 01224 522879 or 522878 or by email to [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk) . Complaints can also be made to any police station or on the non-emergency police number 101. The licence number of the vehicle or its driver and the name of the company should be quoted.

## ABERDEEN CITY COUNCIL

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COMMITTEE	LICENSING COMMITTEE
DATE	19 DECEMBER 2017
REPORT TITLE	MEMBERSHIP OF THE TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP
REPORT NUMBER	CG/17/144
CG LEAD OFFICER	FRASER BELL
REPORT AUTHOR	SANDY MUNRO

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### 1. PURPOSE OF REPORT:-

- 1.1 To request that the Licensing Committee consider the request from GMB Scotland to join the Taxi and Private Hire Car Consultation Group (TPHCG).

### 2. RECOMMENDATION(S)

- 2.1 That the Committee considers the request from GMB Scotland to join the TPHCG.

### 3. BACKGROUND/MAIN ISSUES

- 3.1 The current membership of the TGC is as follows:

Group / Organisation	Name of Representative
5 Elected Members	Councillors John Reynolds (Chairperson), Allard, Delaney, Donnelly and Graham.
Aberdeen Airport Drivers	Stewart Duncan
Aberdeen Rail Taxi Drivers Association	Bill Price
Aberdeen Taxi Group	Graeme McColl
Disability Equity Partnership	Mary Rasmussen

Independent Drivers	Gordon Anderson
Licensed Taxi Offices	Vacant
Private Hire Trade	Chris Douglas, Aberdeen Taxis
Taxi Badge Holders Association	Vacant

- 3.3 GMB Scotland have submitted a request to be represented on the TPHCG (Appendix 1). They have recently opened a taxi branch in Aberdeen with around 50 members. They are looking to grow this extensively with both taxi and private hire drivers, although they have mostly taxi operators at the moment. The GMB would like their members to have a voice and be able to raise any legitimate concerns regarding the taxi trade. They feel that it would be beneficial to all concerned if they could be represented on the taxi and private hire consultation group.
- 3.4 At a meeting of the TPHGC held on 30 October 2017, the Group considered the request from GMB Scotland. There were no objections from any of the group although attendance was limited at the meeting.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 None

#### **5. LEGAL IMPLICATIONS**

- 5.1 None

#### **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 There is no risk to customers/citizens arising from the recommendations of this report.

- **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 There is no risk arising from the recommendations of this report.

- **Reputational**

6.7 There is no risk arising from the recommendations of this report. There may be reputational risk with the applicant group and its members should the application be refused given that another Union is represented.

## **7. IMPACT SECTION**

### **Economy**

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

### **People**

7.2 Members of the applicant body would have a representative on the TPHCG.

### **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 One – Email from GMB Scotland

## 10. REPORT AUTHOR DETAILS

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Job title	Solicitor
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Phone number	01224 523027

## HEAD OF SERVICE DETAILS

Name	Fraser Bell
Job title	Head of Legal and Democratic Services
Email address	frbell@aberdeencity.gov.uk
Phone number	012240 522084

**From:** Vicki Leonard  
**Sent:** 27 October 2017 11:20  
**To:** Jennifer Wilson  
**Subject:** Taxi and private hire consultation group

Hi Jenni

I am a regional organiser with GMB Scotland. We currently have no one representing us on the taxi and private hire consultation group.

Could I put a request for membership in for our work place organiser Roy McHardy?

If you require any further information please do not hesitate to contact me.

Cheers

Vicki Leonard  
Regional organiser  
GMB Scotland  
Sent from my iPhone using IBM Verse

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