

LEGAL AND DEMOCRATIC SERVICES

COMMITTEE DECISION SHEET

LICENSING COMMITTEE - TUESDAY, 12 SEPTEMBER 2017

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

	Item Title	Committee Decision	Services Required to take action	Officer to Action
1	<u>Suspension of Standing Order 37.2 (Length of Meetings)</u>	<u>The Committee resolved:</u> to agree to suspend Standing Order 37.2 (Length of Meetings).	N/A	
1.1	<u>Urgent Business</u>	There were no items of urgent business.	N/A	
2.1	<u>Exempt Business</u>	There were no items of exempt business on the agenda.	N/A	
3.1	<u>Confidential Information</u>	<u>The Committee resolved:</u> To note that 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 are listed at item 10 on the agenda.	N/A	
4.1	<u>Declarations of Interest</u>	<u>The Committee resolved:</u> The following declarations of interest were intimated at this time: (i) Councillor Imrie declared an interest in relation to items 8.11 (Application for the Grant of a Street Trader Licence) and 9.6 (Review of Street Trader	N/A	

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		<p>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; and</p> <p>(ii) Councillor Malik declared an interest in relation to item 10.5 (Application for the Grant of a Late Hours Catering Licence) by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of this item.</p>		
5.1	<u>Requests for Deputation</u>	<p><u>The Committee resolved:</u></p> <p>(i) to agree to hear the deputation from Mr William Lees, GMB, in relation to item 9.7 (Accessible Vehicle Policy Update) immediately prior to consideration of the report;</p> <p>(ii) to agree to hear the deputation from Mr Tommy Campbell, Unite, in relation to item 9.7 (Accessible Vehicle Policy Update) immediately prior to consideration of the report; and</p> <p>(iii) to agree to hear the deputation from Mr Derek Littlejohn, in relation to item 9.7 (Accessible Vehicle Policy Update) immediately prior to consideration of the report.</p>	N/A	
6.1	<u>Minute of the Special Meeting of the Committee of 25 July 2017</u>	<p><u>The Committee resolved:</u> to approve the minute as a correct record.</p>	Committee Services	A Swanson
6.2	<u>Minutes of the Meetings of the Licensing Urgent Business Sub Committee of 24 and 30 August 2017 -</u>	<p><u>The Committee resolved:</u> to approve the minutes as correct records.</p>	Committee Services	A Swanson

	Item Title	Committee Decision	Services Required to take action	Officer to Action
	<u>for approval</u>			
6.3	<u>Committee Business Statement</u>	<p><u>The Committee resolved:</u></p> <p>(i) to delete items 3 (Response to Consultation on Training for Taxi and Private Hire Drivers), 4 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers), 6 (Membership of the Taxi Consultation Group) and 7 (Accessible Vehicle Policy Update), subject to the decisions taken later on the agenda; and</p> <p>(ii) to otherwise note the updates contained in the statement.</p>	Committee Services	A Swanson
6.4	<u>Committee Tracker</u>	<p><u>The Committee resolved:</u></p> <p>to note the information contained in the committee report tracker.</p>	Committee Services	A Swanson
7.1	<u>Film Classification Request - Belmont Filmhouse</u>	<p><u>The Committee resolved:</u></p> <p>to approve the film classification.</p>	Licensing	J Wilson/A Munro
8.1	<u>Renewal of a Licence for a House in Multiple Occupation - 48 Elmbank Terrace, Aberdeen (Ground Floor Flat)</u>	<p><u>The Committee resolved:</u></p> <p>to note the licence had been granted under delegated powers.</p>	CH&I	Ally Thain/Doug Yeats
8.2	<u>Renewal of a Licence for a House in Multiple Occupation - 284C Holburn Street, Aberdeen</u>	<p><u>The Committee resolved:</u></p> <p>to note the licence had been granted under delegated powers.</p>	CH&I	Ally Thain/Doug Yeats
8.3	<u>Renewal of a Licence for a House in Multiple Occupation - 1 Roslin Terrace, Aberdeen</u>	<p><u>The Committee resolved:</u></p> <p>to note the licence had been granted under delegated powers.</p>	CH&I	Ally Thain/Doug Yeats

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8.4	<u>Grant of a Licence for a House in Multiple Occupation - 66 Spital, Aberdeen</u>	<u>The Committee resolved:</u> to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate.	CH&I	Ally Thain/Doug Yeats
8.5	<u>Grant of a Licence for a House in Multiple Occupation - 39 Craigton Terrace, Aberdeen</u>	<u>The Committee resolved:</u> to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate.	CH&I	Ally Thain/Doug Yeats
8.6	<u>Grant of a Licence for a House in Multiple Occupation - 39 Kings Crescent, Aberdeen</u>	<u>The Committee resolved:</u> to defer consideration of the licence to receive further information in respect of the planning permission and building warrant required at the premises.	CH&I	Ally Thain/Doug Yeats
8.7	<u>Grant of a Licence for a House in Multiple Occupation - 30 Belvidere Crescent, Aberdeen</u>	<u>The Committee resolved:</u> to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate.	CH&I	Ally Thain/Doug Yeats
8.8	<u>Renewal of a Licence for a House in Multiple Occupation - 139 Forest Avenue, Aberdeen</u>	<u>The Committee resolved:</u> to grant the application for a period of one year.	CH&I	Ally Thain/Doug Yeats
8.9	<u>Grant of a Licence for a House in Multiple Occupation - 3 The Orchard, Spital Walk, Aberdeen</u>	<u>The Committee resolved:</u> to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate.	CH&I	Ally Thain/Doug Yeats

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8.10	<u>Renewal of a Licence for a House in Multiple Occupation - 153 Bannermill Place, Aberdeen</u>	<u>The Committee resolved:</u> to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate.	CH&I	Ally Thain/Doug Yeats
8.11	<u>Application for the Grant of a Street Trader's Licence - The Liberty Kitchen</u>	<u>The Committee resolved:</u> to defer consideration of the application to enable the applicant to provide the required Certificate of Compliance, and to agree that should the applicant provide the required documentation, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration.	Licensing	J Wilson/A Munro
8.12	<u>Application to hold a Public Charitable Collection - Inspire PTL</u>	<u>The Committee resolved:</u> to grant the application.	Licensing	J Wilson/A Munro
8.13	<u>Application for the Renewal of a Taxi Operator's Licence - Lorraine Fyfe</u>	<u>The Committee resolved:</u> to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.14	<u>Application for the Grant of a Taxi Driver's Licence - Samson Ugha</u>	<u>The Committee resolved:</u> to agree that the applicant be exempt from the street knowledge test requirement on the basis of the mitigating circumstances presented by the applicant and thereby to grant the application.	Licensing	J Wilson/A Munro
8.15	<u>Application for the Grant of a Taxi Driver's Licence - Mohamad</u>	<u>The Committee resolved:</u> to note that the application had been granted	Licensing	J Wilson/A Munro

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	<u>Elbehaderie</u>	under delegated powers.		
8.16	<u>Application for the Grant of a Private Hire Car Driver's Licence - Vinod Athikkal Veedu</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro
8.17	<u>Application for the Renewal of a Taxi Driver's Licence - Robert Cowie</u>	<u>The Committee resolved:</u> to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.18	<u>Application for the Renewal of a Taxi Driver's Licence - Gary Robertson</u>	<u>The Committee resolved:</u> to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.19	<u>Application for the Renewal of a Private Hire Car Driver's Licence - Gary Duncan</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro
8.20	<u>Application for the Renewal of a Private Hire Car Driver's Licence - Lawrence Imonigie</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro
8.21	<u>Application for the Renewal of a Private Hire Car Driver's Licence - Golam Muhmud</u>	<u>The Committee resolved:</u> to defer consideration of the application to enable the applicant to (1) provide proof of the right to work in the UK; and (2) to undertake the street knowledge test, and to agree that should the applicant provide the required information and 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.	Licensing	J Wilson/A Munro

	Item Title	Committee Decision	Services Required to take action	Officer to Action
8.22	<u>Application for the Renewal of a Private Hire Car Driver's Licence - Adeyinka Oketola</u>	<u>The Committee resolved:</u> to note that the application had been withdrawn.	Licensing	J Wilson/A Munro
8.23	<u>Application for the Renewal of a Private Hire Car Driver's Licence - Keith Will</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro
9.1	<u>Review of the Taxi Consultation Group</u>	<u>The Committee resolved:</u> (i) to agree to change the name of the group to the Taxi and Private Hire Car Consultation Group; (ii) to agree the remit and meeting frequency of the Group as outlined in the report at Section 3.10; (iii) to instruct the Head of Legal and Democratic Services to write to the private hire firms and seek nominations to represent the Private Hire trade; (iv) upon receipt of nominations, to instruct the Head of Legal and Democratic Services to then write to all Private Hire Car Licence Holders asking them to indicate their preferred representative for the Group.	Licensing	J Wilson/A Dunbar
9.2	<u>Review of Civic and Miscellaneous Application Fees</u>	<u>The Committee resolved:</u> (i) to approve for consultation the fee review options set out at section 5 of in the report and instructs the Head of Legal and Democratic Services to conduct a consultation as outlined in section 6 below on the same; and (ii) to instruct the Head of Legal and Democratic Services to submit a report	Licensing	J Wilson

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		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.		
9.3	<u>Update on Driver Training and Knowledge Test</u>	<p><u>The Committee resolved:</u></p> <ul style="list-style-type: none"> (i) to note the updates; and (ii) 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; (iii) 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 (iv) 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 2017. 	Licensing	J Wilson/A Munro

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9.4	<u>First Aid Kit Requirements - Taxi/Private Hire</u>	<p><u>The Committee resolved:</u></p> <p>(i) note the background issues relating to the first aid kits specification; and</p> <p>(ii) to agree that the contents of the first aid kits must be in accordance with HSE number BS8599-2:2014, with the exception of 1 Foil Blanket (Adult), 1 Resuscitation Face Shield and 1 Heavy Duty Shears, in order to comply with the licence conditions.</p>	Licensing	J Wilson/A Munro
9.5	<u>Report to Vary Local Conditions for Booking Office Licences</u>	<p><u>The Committee resolved:</u></p> <p>(i) to approve (for the purposes of issuing for consultation in recommendation C below) 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.”</p> <p>(ii) to approve (for the purposes of issuing for consultation in recommendation C below) the proposed variation of the local condition 4 from “the Licence Holder shall ensure that only relevant</p>	Licensing	J Wilson/L May

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		<p>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.”; and</p> <p>(iii) to instruct the Head of Legal and Democratic Services to consult the holders of Booking Office Licences and the Chief Constable, Police Scotland, on the above proposals and in accordance with paragraph 10 of Schedule 1 of the Civic Government (Scotland) Act 1982 invite them to be heard at the next meeting of the Licensing Committee on 7 November 2017 regarding the terms of the proposals.</p>		
9.6	<u>Review of Street Trader Policies</u>	<p><u>The Committee resolved:</u></p> <p>(i) to approve the proposed amended draft schedule of conditions (Appendix 2), with the addition of the following proposed variation to condition 9 to read “The stance from which a street trader hawks, sells or offers or exposes for sale their goods requires</p>	Licensing	J Wilson/L May

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		<p>to be moved daily at the end of trading”, for issuing for consultation; and</p> <p>(ii) to instruct the Head of Legal and Democratic Services to consult the holders of Street Traders Licences and The Chief Constable, Police Scotland, on these proposals and in accordance with paragraph 10 of Schedule 1 of the Civic Government (Scotland) Act 1982 invite them to be heard at the next meeting of the Licensing Committee on 7 November 2017 regarding the terms of the proposals.</p>		
9.7	<u>Accessible Vehicle Policy Update</u>	<p><u>The Committee resolved:</u></p> <p>(i) to note the report;</p> <p>(ii) to instruct the Head of Legal and Democratic Services to proceed with a full consultation on the proposal to move from the council’s current accessible vehicle policy to a new policy that would deliver a mixed fleet through either taxi licensing or taxi driver’s licencing;</p> <p>(iii) to agree that the consultation should involve all taxi and private hire driver licence holders, the Taxi Consultation Group, the Disability Equity Partnership, Police Scotland, all Transport Consultants, Transportation Strategy and Programmes officers, Community Safety officers, Unite Aberdeen and any other relevant charities and organisations and the public;</p>	Licensing	J Wilson/A Munro

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		<p>(iv) to agree that the consultation, as well as any aspects determined by the Head of Legal and Democratic Services in consultation with the Convener, would specifically request views on what would be an appropriate ratio of wheelchair accessible vehicles to saloon vehicles to ensure a reasonable availability of both to any member of the public who might either require, or prefer, one type of vehicle for reasons of health or disability, and how a new system could be implemented and continued in a way that was both fair and naturally just to taxi license holders;</p> <p>(v) 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; and</p> <p>(vi) to agree that the date of implementation of the current wheelchair accessible vehicle policy be moved to 6 June 2019, pending the outcome of the consultation.</p>		
10.1	<u>Landlord Registration</u>	<u>The Committee resolved:</u> to approve the landlord registration.	CH&I	Ally Thain/Doug Yeats
10.2	<u>Landlord Registration</u>	<u>The Committee resolved:</u> to revoke the landlord registration.	CH&I	Ally Thain/Doug Yeats

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10.3	<u>Application for the Grant of a Late Hours Catering Licence</u>	<u>The Committee resolved:</u> to defer consideration of the application to enable the applicant to provide the required Certificate of Compliance, and to agree that should the applicant provide the required documentation, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration.	Licensing	J Wilson/A Munro
10.4	<u>Application for the Grant of a Late Hours Catering Licence</u>	<u>The Committee resolved:</u> to grant the application.	Licensing	J Wilson/A Munro
10.5	<u>Application for the Grant of a Late Hours Catering Licence</u>	<u>The Committee resolved:</u> to defer consideration of the application to enable the applicant to provide the required Certificate of Compliance, and to agree that should the applicant provide the required documentation, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a special meeting of the Committee for consideration.	Licensing	J Wilson/A Munro
10.6	<u>Application for the Grant of a Late Hours Catering Licence</u>	<u>The Committee resolved:</u> to grant the application	Licensing	J Wilson/A Munro
10.7	<u>Application for the Grant of a Late Hours Catering Licence</u>	<u>The Committee resolved:</u> to grant the application.	Licensing	J Wilson/A Munro

	Item Title	Committee Decision	Services Required to take action	Officer to Action
10.8	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> to grant the application.	Licensing	J Wilson/A Munro
10.9	<u>Application for the Grant of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
10.10	<u>Application for the Grant of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro
10.11	<u>Application for the Grant of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> to note that the application had been withdrawn.	Licensing	J Wilson/A Munro
10.12	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> 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.	Licensing	J Wilson/A Munro
10.13	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro
10.14	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> 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	Licensing	J Wilson/A Munro

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		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.		
10.15	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> 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.	Licensing	J Wilson/A Munro
10.16	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> 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.	Licensing	J Wilson/A Munro
10.17	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> (a) 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	Licensing	J Wilson/A Munro

	Item Title	Committee Decision	Services Required to take action	Officer to Action
		<p>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</p> <p>(b) to agree to request the Chief Executive to write to the Council's Occupational Healthcare provider to discuss service delivery and the impact on the processing of licence applications.</p>		
10.18	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> to note that the application had been withdrawn.	Licensing	J Wilson/A Munro
10.19	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> 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.	Licensing	J Wilson/A Munro
10.20	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> 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	Licensing	J Wilson/A Munro

	Item Title	Committee Decision	Services Required to take action	Officer to Action
		delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration.		
10.21	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> 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.	Licensing	J Wilson/A Munro
10.22	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> 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.	Licensing	J Wilson/A Munro
10.23	<u>Application for the Renewal of a Private Hire Car Driver's Licence</u>	<u>The Committee resolved:</u> to defer consideration of the application to (1) allow a medical report from OH Assist to be received and (2) to enable the applicant to undertake the street knowledge test; and to agree that should the applicant both pass the required test and meet the Group 2 DVLA	Licensing	J Wilson/A Munro

	Item Title	Committee Decision	Services Required to take action	Officer to Action
		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.		
10.24	<u>Application for the Renewal of a Private Hire Car Driver's Licence</u>	<u>The Committee resolved:</u> to note that the application had been withdrawn.	Licensing	J Wilson/A Munro
10.25	<u>Application for the Renewal of a Taxi Driver's Licence</u>	<u>The Committee resolved:</u> to grant the application.	Licensing	J Wilson/A Munro

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