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

Town House,
ABERDEEN 29 January 2018

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in **Committee Room 2 - Town House on TUESDAY, 6 FEBRUARY 2018 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 19 December 2017 (Pages 9 - 32)

6.2 Minutes of the Meetings of the Licensing Urgent Business Sub Committee 13 December 2017 and 9 January 2018 - for approval (Pages 33 - 40)

6.3 Minute of the Meeting of the Licensing Evidential Hearings Sub Committee 13 December 2017 - for approval (Pages 41 - 44)

6.4 Committee Business Statement (Pages 45 - 50)

6.5 Committee Tracker (Pages 51 - 54)

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 - 62)

7.2 Application for the Renewal of a Private Hire Driver's Licence (Pages 63 - 66)

7.3 Application for the Renewal of a Taxi Driver's Licence (Pages 67 - 70)

7.4 Application for the Renewal of a Private Hire Driver's Licence (Pages 71 - 72)

7.5 Application for the Renewal of a Taxi Driver's Licence (Pages 73 - 74)

7.6 Application for the Grant of a Private Hire Driver's Licence (Pages 75 - 76)

7.7 Application for the Renewal of a Taxi Driver's Licence (Pages 77 - 78)

7.8 Application for the Renewal of a Taxi Driver's Licence (Pages 79 - 80)

- 7.9 Application for the Renewal of a Taxi Driver's Licence (Pages 81 - 94)
- 7.10 Application for the Renewal of a Taxi Driver's Licence (Pages 95 - 106)
- 7.11 Application for the Renewal of a Taxi Driver's Licence (Pages 107 - 108)
- 7.12 Application for the Renewal of a Taxi Driver's Licence (Pages 109 - 110)
- 7.13 Application for the Renewal of a Taxi Driver's Licence (Pages 111 - 112)
- 7.14 Application for the Renewal of a Taxi Driver's Licence (Pages 113 - 114)
- 7.15 Application for the Renewal of a Taxi Driver's Licence (Pages 115 - 116)
- 7.16 Application for the Renewal of a Taxi Driver's Licence (Pages 117 - 118)
- 7.17 Application for the Renewal of a Taxi Driver's Licence (Pages 119 - 122)
- 7.18 Application for the Renewal of a Taxi Driver's Licence (Pages 123 - 124)
- 7.19 Application for the Renewal of a Taxi Driver's Licence (Pages 125 - 126)
- 7.20 Application for the Renewal of a Taxi Driver's Licence (Pages 127 - 128)
- 7.21 Application for the Renewal of a Taxi Driver's Licence (Pages 129 - 130)
- 7.22 Application for the Renewal of a Taxi Driver's Licence (Pages 131 - 142)
- 7.23 Application for the Renewal of a Taxi Driver's Licence (Pages 143 - 154)
- 7.24 Application for the Renewal of a Taxi Driver's Licence (Pages 155 - 156)
- 7.25 Application for the Renewal of a Taxi Driver's Licence (Pages 157 - 158)
- 7.26 Application for the Renewal of a Taxi Driver's Licence (Pages 159 - 172)
- 7.27 Application for the Renewal of a Taxi Driver's Licence (Pages 173 - 174)
- 7.28 Application for the Renewal of a Taxi Driver's Licence (Pages 175 - 176)

- 7.29 Application for the Grant of a Substitution of a Taxi Operator's Licence
(Pages 177 - 178)

APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

- 8.1 Renewal of a Licence for a House in Multiple Occupation - 107 Hayton Road, Aberdeen (Pages 183 - 186)
- 8.2 Grant of a Licence for a House in Multiple Occupation - 136 Great Northern Road, Aberdeen (Pages 187 - 190)
- 8.3 Renewal of a Licence for a House in Multiple Occupation - 179 Skene Street, Aberdeen (Top floor flat) (Pages 191 - 194)
- 8.4 Renewal of a Licence for a House in Multiple Occupation - 2 Ivanhoe Walk, Aberdeen (Pages 195 - 198)
- 8.5 Grant of a Licence for a House in Multiple Occupation - 15 Spital, Aberdeen (Pages 199 - 208)
- 8.6 Grant of a Licence for a House in Multiple Occupation - 1 Spital, Aberdeen (Pages 209 - 218)
- 8.7 Application for the Renewal of a Street Trader's Licence - Maureen Ross (Pages 219 - 230)
- 8.8 Application for the Grant of a Street Trader's Licence - Leanne Thomson (Pages 231 - 232)
- 8.9 Application for the Grant of a Street Trader's Licence - Andrea Douglas (Pages 233 - 234)
- 8.10 Application for the Renewal of a Street Trader's Licence - Sarah Beattie (Pages 235 - 236)
- 8.11 Application for the Renewal of a Indoor Sports Entertainment Licence - Sport Aberdeen, Linx Ice Arena (Pages 237 - 240)
- 8.12 Application for the Grant of a Public Entertainment Licence - St Clement Church (Pages 241 - 242)
- 8.13 Application for the Grant of a Late Hours Catering Licence - Zafar Iqbal (Pages 243 - 244)

- 8.14 Application for the Grant of a Late Hours Catering Licence - Golden House Aberdeen Ltd (Pages 245 - 246)
- 8.15 Application for the Renewal of a Private Hire Driver's Licence - Robert Mackintosh McKenzie (Pages 247 - 248)
- 8.16 Application for the Renewal of a Private Hire Driver's Licence - Shafiqur Khan (Pages 249 - 250)
- 8.17 Application for the Renewal of a Taxi Driver's Licence - Ala Eddin Al Sahar (Pages 251 - 252)
- 8.18 Application for the Renewal of a Taxi Driver's Licence - Colin Bruce Taylor (Pages 253 - 254)
- 8.19 Application for the Renewal of a Taxi Operator's Licence - James Gordon Andrews (Pages 255 - 256)
- 8.20 Application for the Renewal of a Taxi Operator's Licence - City Wide Taxis (Pages 257 - 258)
- 8.21 Application for the Renewal of a Taxi Operator's Licence - Rainbow Cars (T916) (Pages 259 - 260)
- 8.22 Application for the Renewal of a Taxi Operator's Licence - Rainbow Cars (T917) (Pages 261 - 262)
- 8.23 Application for the Grant of a Special Events Private Hire Operator/Driver's Licence - Robert Leggett (Pages 263 - 284)

COMMITTEE REPORTS

- 9.1 Knowledge Test Consultation (Pages 285 - 292)

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

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, 19 December 2017. Minute of meeting of the LICENSING COMMITTEE. Present: Councillor Reynolds, Convener; Councillor Boulton (up to article 9 and appendix A), Vice Convener; and Councillors Allan, Allard, Bell, Cameron, Delaney (up to article 9 and appendix A), Graham (from article 10 onwards and article 4 of appendix A), Henrickson, Imrie, Avril MacKenzie, Catriona Mackenzie (from article 10 onwards and article 4 of appendix A), Malik, McLellan (as a substitute for Councillor 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=4352&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 that applications/requests 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 were listed at item 7 on the agenda.

DECLARATIONS OF INTEREST

3. The following declarations of interest were intimated at this time:

- (i) Councillor Imrie declared an interest in relation to items 8.5 (Application for the Grant of a Temporary Street Trader Licence – Fresh Approach UK), 8.6 (Application for the Renewal of a Street Trader's Licence – Maureen Ross), and 8.7 (Application for the Renewal of a Street Trader's Licence – Gary Zyciwski) and 9.1 (Outcome of the Fee Review Proposal Consultation), by virtue of her

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- intention to apply for a street trader licence in the near future, and withdrew from the meeting prior to consideration of these items; and
- (ii) Councillor Sellar declared an interest in relation to item 7.5 (Application for the Grant of a Second Hand Dealer's Licence) by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of this item.

MINUTE OF PREVIOUS MEETING OF 7 NOVEMBER 2017

4. The Committee had before it the minute of its previous meeting of 7 November 2017.

The Committee resolved:

to approve the minute as a correct record.

MINUTES OF THE MEETINGS OF THE LICENSING URGENT BUSINESS SUB COMMITTEE OF 27 OCTOBER AND 30 NOVEMBER 2017

5. The Committee had before it the minutes of the meetings of the Licensing Urgent Business Sub Committee of 27 October and 30 November 2017.

The Committee resolved:

to approve the minutes as correct records.

MINUTE OF THE MEETING OF THE LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE OF 6 SEPTEMBER 2017

6. The Committee had before it the minutes of the meeting of the Licensing Evidential Hearing Sub Committee of 6 September 2017.

The Committee resolved:

to approve the minute as a correct record.

COMMITTEE BUSINESS STATEMENT

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

The Committee resolved:

- (i) to delete item 5 (Review of Civic Application and Licence Fees), subject to the decision taken later on the agenda; and
- (ii) to otherwise note the updates contained in the statement.

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COMMITTEE TRACKER

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

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

9. 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

10. 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.

OUTCOME OF THE FEE REVIEW PROPOSAL CONSULTATION – CG/17/142

11. With reference to article 11 of the minute of the meeting of the Licensing Committee of 12 September 2017, the Committee had before it a report by the Head of Legal and Democratic Services which presented the outcome of the fee review proposal consultation, and sought a final decision on the future fee levels to be adopted from 20 December 2017.

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The report recommended –

that the Committee

- (a) accept the Fee Proposal Option C set out in paragraph 3.6 of the report and to agree that it take effect from 20 December 2017; and
- (b) accept the proposal in paragraph 3.11 of the report in relation to Public Entertainment Licences and to agree that it take effect from 20 December 2017.

The Committee resolved:

to approve the recommendations.

BAN ON TAXI SURCHARGE FOR CREDIT AND DEBIT CARDS IN LIGHT OF HM TREASURY ANNOUNCEMENT – CG/17/143

12. The Committee had before it a report by the Head of Legal and Democratic Services which advised of the announcement from HM Treasury that all surcharges for making payments by credit or debit card would come to an end on 13 January 2018 and requested that the Head of Legal and Democratic Services be instructed to take the necessary steps required to facilitate compliance with the second EU Payment Services Directive.

The report recommended –

that the Committee

- (a) note 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 would mean that surcharges for making payments by credit or debit card would be prohibited from 13 January 2018, and that there is no transition period for the provision;
- (b) instruct the Head of Legal and Democratic Services to write to all holders of taxi and private hire car licences to advise them:-
 - (i) That they would be prohibited from charging customers the credit/debit card surcharge, currently on the Taxi Tariff Card, from 13 January 2018;
 - (ii) That licence holders would 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;
 - (iii) That a new Taxi Tariff Card with the credit/debit card surcharge removed would be made available on the Council's website from 13 January 2018 and thereafter would be issued to licence holders after the completion of the next Taxi Fare Review in the Summer of 2018. Licence holders would be advised that they should black out/delete the surcharge from their current Tariff Cards from 13 January 2018; and
- (c) 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 would 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

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Licensing Enforcement Officers or Trading Standards Officers.

The Committee resolved:

- (i) to approve recommendations (a), (b)(i), (b)(ii) and (c); and
- (ii) to instruct the Head of Legal and Democratic Services to write to all holders of taxi and private hire car licences to advise them that a new Taxi Tariff Card with the credit/debit card surcharge removed would be made available on the Council's website from 13 January 2018 and would be issued to licence holders.

MEMBERSHIP OF THE TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP – CG/17/144

13. The Committee had before it a report by the Head of Legal and Democratic Services which sought consideration of a request from GMB Scotland to join the Taxi and Private Hire Car Consultation Group (TPHCG).

The report recommended –

that the Committee consider the request from GMB Scotland to join the TPHCG.

The Committee resolved:

to agree that GMB Scotland be added to the membership of the Taxi and Private Hire Car Consultation Group.

CONVENER REMARKS

14. The Convener thanked members and officers for their participation in and support to the Committee and Sub Committees over the course of the year, in particular the participation and support provided to the meetings called of the Licensing Urgent Business Sub Committee since September 2017. He wished all an enjoyable break over the festive period.

- **COUNCILLOR JOHN REYNOLDS, Convener**

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APPENDIX A

1. LANDLORD REGISTRATION
Application Reference Number - 7/01

The Committee was advised that the item had been withdrawn from the agenda.

2. LANDLORD REGISTRATION
Application Reference Number - 7/02

With reference to article 1 of Appendix A of the minute of the meeting of the Licensing Committee of 7 November 2017, 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 Yeats, Senior Private Sector Housing Officer, who advised that the applicant had contacted him to advise that neither he, nor his solicitor, could 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 registration to a future meeting of the Committee to enable the applicant, or his representative, to be present.

3. RECALL OF SUSPENSION OF TAXI DRIVER'S LICENCE
Application Reference Number - 7/03

The licence holder was in attendance, accompanied by a friend.

The licence holder spoke in support of his request.

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter in response to the request.

The Committee asked questions of the licence holder and Sergeant Flett.

Sergeant Flett summed up.

The licence holder summed up.

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The Committee resolved:
to refuse to recall the suspension.

4. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE
Application Reference Number - 7/04

With reference to article 5 of appendix A of the minute of the meeting of the Licensing Committee of 7 November 2017, 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 in attendance.

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

The applicant spoke in support of his application.

The Committee asked questions of the applicant and Sergeant Flett.

Sergeant Flett did not take up the opportunity to sum up.

The applicant summed up.

The Committee resolved:
to grant the application.

DECLARATION OF INTEREST

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

5. APPLICATION FOR THE GRANT OF A SECOND HAND VEHICLE DEALER'S LICENCE
Application Reference 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 28 February 2018; and (2) a letter of

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objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 20 October 2017.

The applicant was not in attendance.

Sergeant Flett was in attendance on behalf of Police Scotland.

Mr Munro, Legal Advisor, advised that the applicant had been in contact to advise that he was unwell and therefore unable to attend the meeting and had requested that the application be deferred to the next meeting to enable him to attend.

The Committee resolved:

to defer consideration of the application to the Committee's next meeting to enable the applicant to be present.

6. APPLICATION FOR THE RENEWAL OF A TAXI LICENCE

Application Reference Number - 7/06

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

7. APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

Application Reference Number - 7/07

The Committee was advised that the application had been withdrawn.

8. REQUEST FOR THE SUSPENSION OF A TAXI DRIVER'S LICENCE

Application Reference Number - 7/08

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the request for suspension of the taxi driver's licence; and (2) a letter dated 29 November 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.

Sergeant Flett was in attendance on behalf of Police Scotland.

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Sergeant Flett spoke in support of the request for suspension from Police Scotland.

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

The Sub Committee asked questions of Sergeant Flett and the licence holder.

Sergeant Flett summed up.

The licence holder summed up.

Councillor Allard, seconded by Councillor Townson, moved:-
that the Committee suspend the licence holder for the unexpired portion of the licence.

The Vice Convener, seconded by Councillor Bell, moved as an amendment:-
that the Committee agree to take no action.

On a division, there voted:- for the motion (4) – the Convener; and Councillors Allard, Delaney and Townson; for the amendment (13) – the Vice Convener; and Allan, Bell, Cameron, Graham, Henrickson, Imrie, Avril MacKenzie, Catriona Mackenzie, Malik, McLellan, Sellar and Sandy Stuart.

The Committee resolved:
to adopt the amendment.

9. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE** **Application Reference 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 10 January 2018.

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

The applicant was not in attendance.

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.

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

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 to be determined by 2 January 2018.

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:

- (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 this would result in a material change of circumstance and therefore a new application could be processed for the applicant; and
- (iii) should the applicant submit a new application, to agree to waive the fee for that single application and the requirement for the applicant to undertake a street knowledge test.

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

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 to be determined by 25 January 2018.

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

The applicant was not in attendance.

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.

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

The Committee was advised that the application had been withdrawn.

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

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 3 February 2018.

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.

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.

14. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 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 4 January 2018.

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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 Convener moved that the Committee agree 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 3 January 2018 for consideration.

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

- (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 this would result in a material change of circumstance and therefore a new application could be processed for the applicant; and
- (iii) should the applicant submit a new application, to agree to waive the fee for that single application and the requirement for the applicant to undertake a street knowledge test.

There being no seconder for the motion by the Convener, the motion fell, and was not put to a vote.

The 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 this would result in a material change of circumstance and therefore a new application could be processed for the applicant; and
- (iii) should the applicant submit a new application, to agree to waive the fee for that single application and the requirement for the applicant to undertake a street knowledge test.

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15. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 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 26 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:

- (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 this would result in a material change of circumstance and therefore a new application could be processed for the applicant; and
- (iii) should the applicant submit a new application, to agree to waive the fee for that single application and the requirement for the applicant to undertake a street knowledge test.

16. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference Number - 7/16

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

17. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 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 30 January 2018.

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

The applicant was not in attendance.

LICENSING COMMITTEE
19 December 2017

The Committee resolved:

to defer consideration of the application to a meeting of the Licensing Urgent Business Sub Committee.

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

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 30 January 2018.

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.

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

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

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.

20. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE
Application Reference Number - 7/20

LICENSING COMMITTEE

19 December 2017

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 January 2018.

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.

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

Application Reference Number - 7/21

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

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

Application Reference Number - 7/22

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 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:

(i) to refuse the application;

LICENSING COMMITTEE

19 December 2017

- (ii) to agree that should the applicant meet the Group 2 DVLA medical criteria following receipt of a further medical report this would result in a material change of circumstance and therefore a new application could be processed for the applicant; and
- (iii) should the applicant submit a new application, to agree to waive the fee for that single application and the requirement for the applicant to undertake a street knowledge test.

23. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE** **Application Reference Number - 7/23**

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 26 January 2018.

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.

24. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE** **Application Reference Number - 7/24**

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 21 February 2018.

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

The applicant was in attendance, accompanied by his daughter, 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:
to grant the application.

25. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference Number - 7/25

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

26. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference Number - 7/26

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

LICENSING COMMITTEE
19 December 2017

APPENDIX B

**1. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION -
3 ROSLIN TERRACE, ABERDEEN**
Application Reference Number - 8/01

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

**2. GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION –
91 BERRYDEN ROAD, ABERDEEN**
Application Reference Number - 8/02

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

DECLARATIONS OF INTEREST

During consideration of the following item, Councillors Allan and Bell declared an interest in the following article by virtue of knowing the applicant's representative, and took no part in the determination of the application.

**3. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION -
148 CLIFTON ROAD, ABERDEEN**
Application Reference Number - 8/03

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

Mr Yeats, Senior Private Sector Housing Officer, advised that one letter of representation had been received from Mr and Mrs Derek and Shona Gibson beyond the statutory time period within which such letters must be received (21-day period). He further advised that the Committee might consider late representations if it was satisfied that it was reasonable for the respondents to make the representation after the deadline.

Mr Yeats also advised that a letter from the applicant's agent, Ms Amanda Craig, Senior Property Manager, Stonehouse Lettings, had been submitted in response to the late letter of representation.

The late respondent, Mr Derek Gibson was present and explained why their letter of representation was late and why it should be considered today.

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The Committee resolved:-

that the letter of representation by Mr and Mrs Derek and Shona Gibson, as well as the letter of response from the applicant's agent, Ms Amanda Craig, Senior Property Manager, Stonehouse Lettings, should be introduced into the proceedings.

The respondent, Mr Derek Gibson, was in attendance and spoke in support of his letter of representation.

The Committee asked questions of the respondent.

The applicant was not in attendance, however was represented by Moira Gove, Head of Property Management Stonehouse Lettings, who spoke in support of the application.

The Committee asked questions of the applicant's representative.

The respondent summed up.

The applicant summed up.

The Convener, seconded by Councillor Avril MacKenzie, moved:-

that the Committee refuse the licence on the grounds that the property was unsuitable for occupation as an HMO due to the possibility of undue public nuisance.

Councillor Townson, seconded by Councillor Catriona Mackenzie, moved as an amendment:-

that the Committee grant the licence for a one year period.

On a division, there voted:- for the motion (4) – the Convener; and Councillors Imrie, Avril MacKenzie and McLellan; for the amendment (8) – Councillors Allard, Cameron, Graham, Henrickson, Catriona Mackenzie, Sellar, Sandy Stuart and Townson.

The Committee resolved:

to adopt the amendment.

4. **FILM CLASSIFICATION REQUESTS - BELMONT FILM HOUSE,
49 BELMONT STREET, ABERDEEN**
Application Reference Number - 8/04

LICENSING COMMITTEE

19 December 2017

The Committee had before it the following request for film classification for screening at Belmont Cinema:-

- Big Clock – suggested rating PG

The Committee resolved:

to approve the suggested film classification of PG for the Big Clock.

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.

5. **APPLICATION FOR THE GRANT OF A TEMPORARY STREET TRADER'S LICENCE - FRESH APPROACH UK**
Application Reference Number - 8/05

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 19 December 2017, and that the request did not comply with the Committee's guideline that no trading should be permitted on Union Street or any pedestrianised area in the city centre save as where a special case could be made out by the applicant as to why the guideline should not apply.

The applicant was not in attendance.

The Committee resolved:

to refuse the application.

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.

6. **APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE - MAUREEN ROSS**
Application Reference Number - 8/06

The Committee was advised that the application had been deferred to the next meeting of the Committee on 6 February 2018.

LICENSING COMMITTEE

19 December 2017

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.

7. **APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE – GARY ZYCIWSKI**
Application Reference Number - 8/07

The Committee was advised that the application had been withdrawn.

8. **APPLICATION FOR THE GRANT OF A SECOND HAND VEHICLE TRADER'S LICENCE - KEITH DONALDSON**
Application Reference 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 3 January 2018, and to date the applicant had not returned a signed display notice as required by the Civic Government (Scotland) Act 1982.

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

The Committee resolved:
to refuse the application.

9. **APPLICATION FOR THE RENEWAL OF A PUBLIC ENTERTAINMENT LICENCE - ALEX COLLIE SPORTS CENTRE**
Application Reference Number - 8/09

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

10. **APPLICATION FOR THE RENEWAL OF A PUBLIC ENTERTAINMENT LICENCE - SHEDDOCKSLEY LEISURE CENTRE**
Application Reference Number - 8/10

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

11. **APPLICATION FOR THE RENEWAL OF A PUBLIC ENTERTAINMENT LICENCE - PETERCULTER LEISURE CENTRE**

LICENSING COMMITTEE

19 December 2017

Application Reference Number - 8/11

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

12. APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE - KHAYRUL ISLAM**Application Reference Number - 8/12**

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 been placed on the agenda as it required to be determined by 3 January 2018, and to date the applicant had not passed the required street knowledge test or provided proof of his right to work in the UK as required under the Immigration Act 2016.

The applicant, Mr Khayrul Islam, was not in attendance.

The Committee resolved:

to refuse the application.

13. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - ALA EDDIN AL SAHAR**Application Reference Number - 8/13**

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 9 January 2018, and to date the applicant had not passed the required street knowledge test.

The applicant, Mr Ala Eddin Al Sahar, was in attendance and spoke in support of the application.

The Committee asked questions of the applicant.

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 on 9 January 2018 for consideration.

LICENSING COMMITTEE

19 December 2017

14. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - SAYED MUSTAFA AH-MED MISBAHA
Application Reference Number - 8/14

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 been placed on the agenda as it required to be determined by 27 January 2018, and to date the applicant had not passed the required street knowledge test or provided evidence of currently holding a full driving licence for a period of 12 continuous months.

The applicant, Mr Sayed Mustafa Ah-med Misbaha was not in attendance.

The Committee resolved:
to refuse the application.

15. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - DAVID FLETT
Application Reference Number - 8/15

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 been placed on the agenda as it required to be determined by 17 January 2018, and to date the applicant had not passed the required street knowledge test or provided proof of his right to work in the UK as required under the Immigration Act 2016.

The Committee heard from Mr Sandy Munro, Legal Advisor, who advised that the applicant had now provided proof of his right to work in the UK.

The applicant, Mr David Flett, was in attendance and spoke in support of the application.

The Committee asked questions of the applicant.

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 on 16 January 2018 for consideration.

LICENSING COMMITTEE

19 December 2017

16. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - RAJNEESH RATTAN**
Application Reference Number - 8/16

The Committee was advised that the application had been withdrawn.

17. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE - DILDAR SYED**
Application Reference Number - 8/17

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 been placed on the agenda as it required to be determined by 10 January 2018, and to date the applicant had not passed the required street knowledge test.

The applicant, Mr Dildar Syed, was not in attendance.

The Committee resolved:
to refuse the application.

18. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - TERRY THORNTON**
Application Reference Number - 8/18

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

19. **APPLICATION FOR THE RENEWAL OF A TAXI LICENCE - JOHN NOBLE**
Application Reference Number - 8/19

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

20. **APPLICATION FOR THE RENEWAL OF A TAXI LICENCE - YVONNE FALLON**
Application Reference Number - 8/20

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

LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 13 December 2017. Minute of meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present: Councillor Reynolds, Convener; and Councillors Allard, Delaney, Councillor Donnelly, the Depute Provost, and Townson.

The agenda and reports associated with this minute can be found at:-
<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=502&MIId=6041&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 a decision 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.

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

2. With reference to article 14 of appendix A of the minute of the meeting of the Licensing Committee of 7 November 2017, 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 13 December 2017.

Mrs May, Legal Advisor, provided the Sub Committee with a verbal update on the application.

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

The Sub Committee asked questions of the applicant.

LICENSING URGENT BUSINESS SUB COMMITTEE
13 December 2017

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 this would result in a material change of circumstance and therefore a new application could be processed for the applicant; and
- (iii) should the applicant submit a new application, to agree to waive the fee for that single application and the requirement for the applicant to undertake a street knowledge test.

APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE

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

- **COUNCILLOR JOHN REYNOLDS, Convener**

LICENSING URGENT BUSINESS SUB COMMITTEE

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LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 9 January 2018. Minute of meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present: Councillor Reynolds, Convener; and Councillors Allard, 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=6069&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 a decision 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 PRIVATE HIRE CAR DRIVER'S LICENCE - ALA EDDIN AL SAHAR

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

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

3. With reference to article 9 of appendix A of the minute of the meeting of the Licensing Committee of 19 December 2017, 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 10 January 2018.

LICENSING URGENT BUSINESS SUB COMMITTEE

9 January 2018

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

The applicant was not in attendance.

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 this would result in a material change of circumstance and therefore a new application could be processed for the applicant; and
 - (iii) should the applicant submit a new application, to agree to waive the fee for that single application and the requirement for the applicant to undertake a street knowledge test.
- **COUNCILLOR JOHN REYNOLDS, Convener**

LICENSING URGENT BUSINESS SUB COMMITTEE

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LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE

ABERDEEN, 13 December 2017 Minute of meeting of the LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE. Present: Councillor Reynolds, Convener; and Councillors Delaney, Donnelly, the Depute Provost and Townson.

The agenda and reports associated with this minute can be found at:-
<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=547&MId=6044&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.

PROCEDURE NOTE

1. 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

2. The Sub Committee had before it a letter dated 20 November 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 not in attendance.

Sergeant Flett was in attendance on behalf of Police Scotland.

Sergeant Flett raised as a preliminary matter that following the submission of the letter of request from Police Scotland, proceedings had progressed and she could now provide further information verbally in respect of charges of which the licence holder was currently subject to.

The Sub Committee resolved:
to accept the further information into today's proceedings.

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

Sergeant Flett spoke in support of the request for suspension from Police Scotland and provided the additional information referred to above.

The Sub Committee asked questions of Sergeant Flett.

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 and that the licence holder be instructed to return his licence plates to the Head of Legal and Democratic Services immediately.

JOHN REYNOLDS, Convener

LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE

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LICENSING

COMMITTEE BUSINESS

6 FEBRUARY 2018

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>A report is scheduled to be submitted to the Committee in June 2019.</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"> (i) request the Licensing Team Leader, as part of the current taxi fare review, to explore ways in which any future increase in airport access charges could be mitigated by the Council in a timely manner; (ii) instruct the Licensing Team Leader to undertake a review of the existing taxi fare formula, including surcharges, following the completion of the current taxi fare review; (iii) to instruct officers to meet with trade representatives to explore the restructure of tariff charges and report back to the Committee thereafter; (iv) to instruct the Head of Legal and Democratic Services to undertake a review of the taxi fare formula and report back to the Committee the findings; and (v) to note that discussions with Aberdeen International Airport regarding the recent increased fee for non airport taxis dropping passengers off at the airport concourse were ongoing and to request that the Committee be updated on these discussions as appropriate. 	<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>A report is scheduled to be submitted to the Committee in June 2018.</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.	A report is scheduled to be submitted to the Committee in June 2018.	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.	A report is scheduled to be submitted to the Committee in June 2018.	Head of Legal and Democratic Services	June 2018

5.	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>Due to the level of consultation required for this item and to ensure sufficient timescale for responses and consideration of those, this item will be reported to the Committee in August 2018.</p> <p>A report is on the agenda.</p> <p>A report is on the agenda.</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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6.	Licensing Committee 12.9.17 article 16	<p><u>Accessible Vehicle Policy Update</u></p> <p>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.</p>		Head of Legal and Democratic Services	June 2018
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CYCLE 1 - 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
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**

Report Title	Committee date	Report author	Head of Service	Purpose of Report	Explanation if delayed or withdrawn
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.	Delayed to August 2018 - Due to the level of consultation required for this item and to ensure sufficient timescale for responses and consideration of those, this item will be reported to the Committee in August 2018.
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

Report Title	Committee date	Report author	Head of Service	Purpose of Report	Explanation if delayed or withdrawn
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
6th February 2018
LIST OF APPLICATIONS

	Application Type	Name of Applicant(s)	Premises, Vehicle or Area to which Application Refers	Objections or Representations Received From	Date by which Application to be Determine (If Applicable)	Pages
1.	HMO Application (Renewal)	Colin J.Edwards	107 Hayton Road, Aberdeen	C, H & I	12 March 2018	183 – 186
2.	HMO Application (New)	Beverley Parkinson	136 Great Northern Road, Aberdeen	C, H & I	19 March 2018	187 – 190
3.	HMO Application (Renewal)	Mairi I.MacLeod + Duncan Security (Aberdeen)	179 Skene Street, Aberdeen (Top floor flat)	C, H & I	5 April 2018	191 – 194
4.	HMO Application (Renewal)	David F.Cameron & Helen M.Cameron	2 Ivanhoe Walk, Aberdeen	C, H & I	17 April 2018	195 – 198
5.	HMO Application (New)	Comper & Company Limited + Breidge McKeever	15 Spital, Aberdeen	One Objection	28 November 2018	199 – 208
6.	HMO Application (New)	Comper & Company Limited + Breidge McKeever	17 Spital, Aberdeen	One Objection	28 November 2018	209 – 218
7.	Street Trader Renewal	Maureen Ross	Mo's Snack Box Exploration Drive, Greenhole Place, Intown Rd, Bridge of Don	Public Objection	06/05/2018	219 – 230
8.	Street Trader Grant	Leanne Thomson	Greenbank Road 25m east of Hillview Rd	EH (CofC)	28/03/2018	231 – 232

9.	Street Trader Grant	Andrea Douglas	Greenwell Road 500m west of Wellington Rd	EH (CofC)	01/04/2018	233 – 234
10.	Street Trader Renewal	Sarah Beattie	Gateway Business Park	EH (CofC)	05/04/2018	235 – 236
11.	Indoor Sports Entertainment Renewal	Sport Aberdeen	Linx Ice Arena	BS	01/04/2018	237 – 240
12.	Public Entertainment Grant	St Clements Church	St Clements Church	LD (Site Notice)	05/03/2018	241 – 242
13.	Late Hours Catering Grant	Zafar Iqbal	Sweet News, 10 Crown Street	LD (Site Notice)	28/02/2018	243 – 244
14.	Late Hours Catering Grant	Golden House Aberdeen Ltd	Golden House 14 King Street	LD (Site Notice)	02/04/2018	245 – 246
15.	Private Hire Driver Renewal	Robert Mackintosh McKenzie	N/A	LD (SK)	28/02/2018	247 - 248
16.	Private Hire Driver Renewal	Shafiqur Khan	N/A	LD (SK)	26/03/2018	249 – 250
17.	Taxi Driver Renewal	Ala Eddin Al Sahar	N/A	LD (SK)	20/05/2018	251 – 252
18.	Taxi Driver Renewal	Colin Bruce Taylor	N/A	LD (D/L)	30/02/2018	253 – 254
19.	Taxi Operator Renewal	James Gordon Andrews	T694 MX63 AHA	LD	21/03/2018	255 – 256
20.	Taxi Operator Renewal	City Wide Taxis	T154 MT66 YBR	LD	21/02/2018	257 – 258

21.	Taxi Operator Renewal	Rainbow Cars	T916 SF64 DPZ	LD	21/03/2018	259 – 260
22.	Taxi Operator Renewal	Rainbow Cars	T917 SF16 CAE	LD	21/03/2018	261 – 262
23.	Special Events Private Hire Operator/Driver	Robert Leggett	Tuk Tuk			263 – 284

ABBREVIATIONS:

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

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ABERDEEN
CITY COUNCIL

MEMO

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

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	25 January 2018
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.107 Hayton Road, Aberdeen

Applicant/s: Colin J.Edwards

Agent: None stated

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 6 February 2018 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

The premises to which this HMO licence application relates is a two-storey semi-detached house providing accommodation comprising 6 letting bedrooms, one public room, 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 13 March 2017.

HMO upgrading works and certification:

The HMO Officer carried out an inspection of the property 23 March 2017, then he wrote to the applicant listing the following requirements to bring the property up to the current HMO standard:-

1. All self-closing doors to be adjusted as necessary to ensure that they fully close against their stops.
2. The standard of housekeeping and storage within bedroom No.5 to be improved.
3. All area of damp/mould to be treated with anti-fungicidal wash, then coated with anti-fungicidal paint, then redecorated.
4. The Notice of HMO Application - Certificate of Compliance, a current Gas Safe certificate, a current PAT certificate, and a copy of the Tenancy Agreement to be submitted to the HMO Unit.

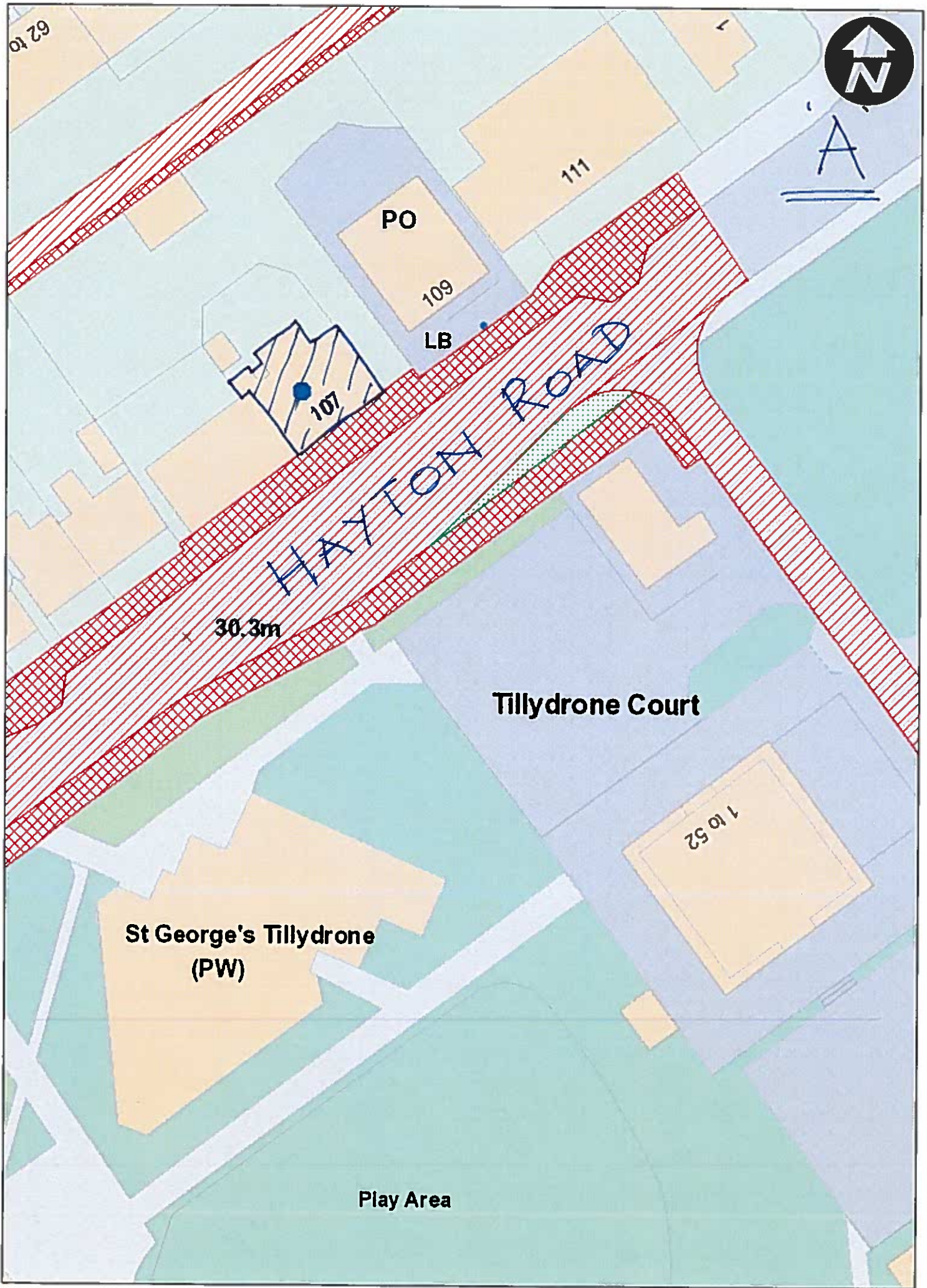
At the date of this report, the above requirements have not been completed.

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.107 Hayton Road, Aberdeen.
- The applicant and his property are currently registered with the Landlord Registration database.
- The applicant has requested an occupancy of 6 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is to renew a current HMO licence.
- The meeting of the Licensing Committee on 6 February 2018, 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 6 February 2018. I will advise the Committee whether or not all requirements have been completed.

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

Ally Thain
Private Sector Housing Manager



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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	25 January 2018
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.136 Great Northern Road, Aberdeen

Applicant/s: Beverley Parkinson

Agent: None stated

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 6 February 2018 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

The premises to which this HMO licence application relates is a two-storey & basement semi-detached house providing accommodation comprising 4 letting bedrooms, one public room, 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 20 March 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 14 June 2017, then he wrote to the applicant listing the following requirements to bring the property up to the current HMO standard:-

1. All faulty or missing lightbulbs to be replaced.
2. The cause of the water damage to the front bedroom ceiling to be identified and a repair carried out to stop the water penetration. The ceiling to be repaired and redecorated.
3. The Notice of HMO Application to be redisplayed for a further 21-day period.
4. The Notice of HMO Application – Certificate of Compliance, current Gas Safe certificate, current EICR certificate, current PAT certificate, and a copy of the Tenancy Agreement to be submitted to the HMO Unit.
5. A Certificate of Completion or a Letter of Comfort in respect of the basement accommodation 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 advised in June 2017 that the existing fire safety arrangements were unsatisfactory and they could not support the granting of an HMO licence at that time. SFRS required the licence-applicant to provide them with an action plan detailing the proposals for addressing the deficiencies. At the date of this report, SFRS have not confirmed that they are satisfied with the fire safety arrangements in the property.

Building Standards

The applicant's Architect submitted an application for a Letter of Comfort during the week commencing 15 January 2018, in respect of the basement accommodation. At the date of this report, the application has yet to be allocated to a Building Standards Officer therefore it is unknown whether or not a Letter of Comfort can be issued.

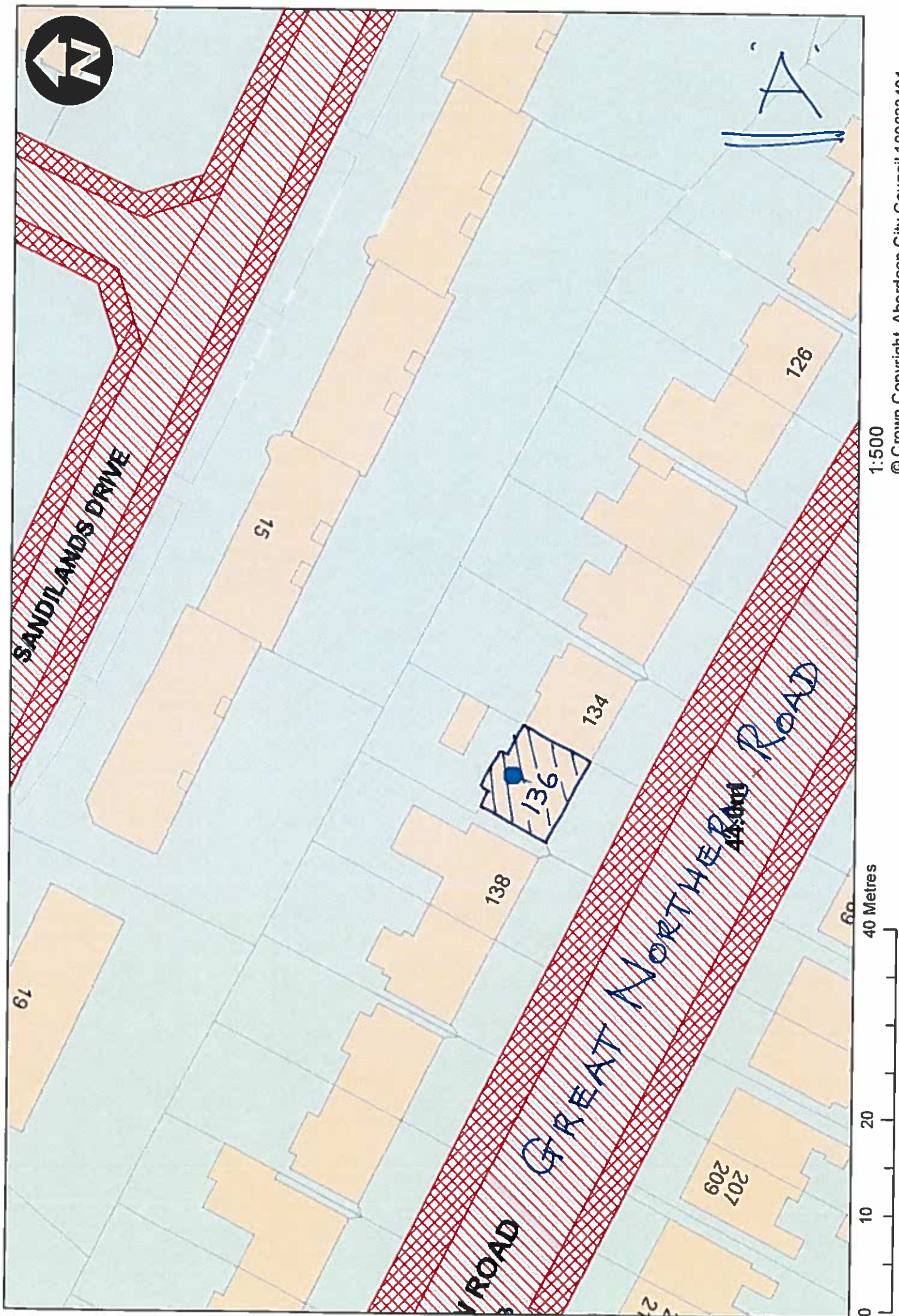
Other considerations:

- 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.136 Great Northern Road, Aberdeen.

- The applicant and his property are currently registered with the Landlord Registration database.
- The applicant has requested an occupancy of 5 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The applicant held an HMO licence for the property between January 2006 – October 2012. He did not apply to renew it, but subsequently applied for a fresh HMO licence which was granted in January 2014 and expired in January 2017. Again, he did not apply to renew it but subsequently applied for a fresh HMO licence, which is the subject of this report.
- The meeting of the Licensing Committee on 6 February 2018, 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 6 February 2018. I will advise the Committee whether or not all requirements have been completed.

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

Ally Thain
Private Sector Housing Manager



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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	25 January 2018
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.179 Skene Street, Aberdeen (Top floor flat)

Applicant/s: Mairi I.MacLeod

Agent: Duncan Security (Aberdeen)

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 6 February 2018 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

The premises to which this HMO licence application relates is a top-floor flat providing accommodation comprising 4 letting bedrooms, 2 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 6 April 2017.

HMO upgrading works and certification:

The HMO Officer carried out an inspection of the property on 18 April 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. A prominent notice to be fixed adjacent to the fireplace in the lounge, prohibiting the use of the fireplace.
3. The plaster cracks in the ceiling of the diningroom to be repaired and the ceiling redecorated.
4. Silicone sealant around the bath to be replaced.
5. The hardboard walls in bedroom No.4 to be replaced with plasterboard, then decorated.
6. The standard of housekeeping within the property, particularly the cleanliness of the bathrooms, to be significantly improved.
7. The Notice of HMO Application - Certificate of Compliance, a current Gas Safe certificate, a current EICR report, a current PAT certificate, 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.

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.179 Skene Street, Aberdeen (top floor flat).
- The applicant and her property are registered with the Landlord Registration database, although his agent is not registered. It will therefore be necessary for the agent to register with the Council.
- The applicant has requested an occupancy of 4 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is to renew a current HMO licence.

- The meeting of the Licensing Committee on 6 February 2018, 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 6 February 2018. I will advise the Committee whether or not all requirements have been completed.

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

Ally Thain
Private Sector Housing Manager

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ABERDEEN
CITY COUNCIL

MEMO

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

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	25 January 2018
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.2 Ivanhoe Walk, Aberdeen

Applicant/s: David F.Cameron & Helen M.Cameron

Agent: None stated

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 6 February 2018 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

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

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

The premises:

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

The HMO application:-

The HMO licence application was received by the HMO Unit on 18 April 2017.

HMO upgrading works and certification:

The HMO Officer carried out an inspection of the property on 16 May 2017, then he wrote to the applicant listing the following requirements to bring the property up to the current HMO standard:-

1. All faulty or missing lightbulbs to be replaced.
2. All self-closing doors to be adjusted as necessary to ensure that they fully close against their stops.
3. The lounge door-closer to be refitted.
4. The lounge door-handle to be replaced.
5. The standard of housekeeping within the property to be improved.
6. The public Notice of HMO Application to be redisplayed for a further 21-day period.
7. The Notice of HMO Application - Certificate of Compliance and a copy of the current PAT certificate to be submitted to the HMO Unit.

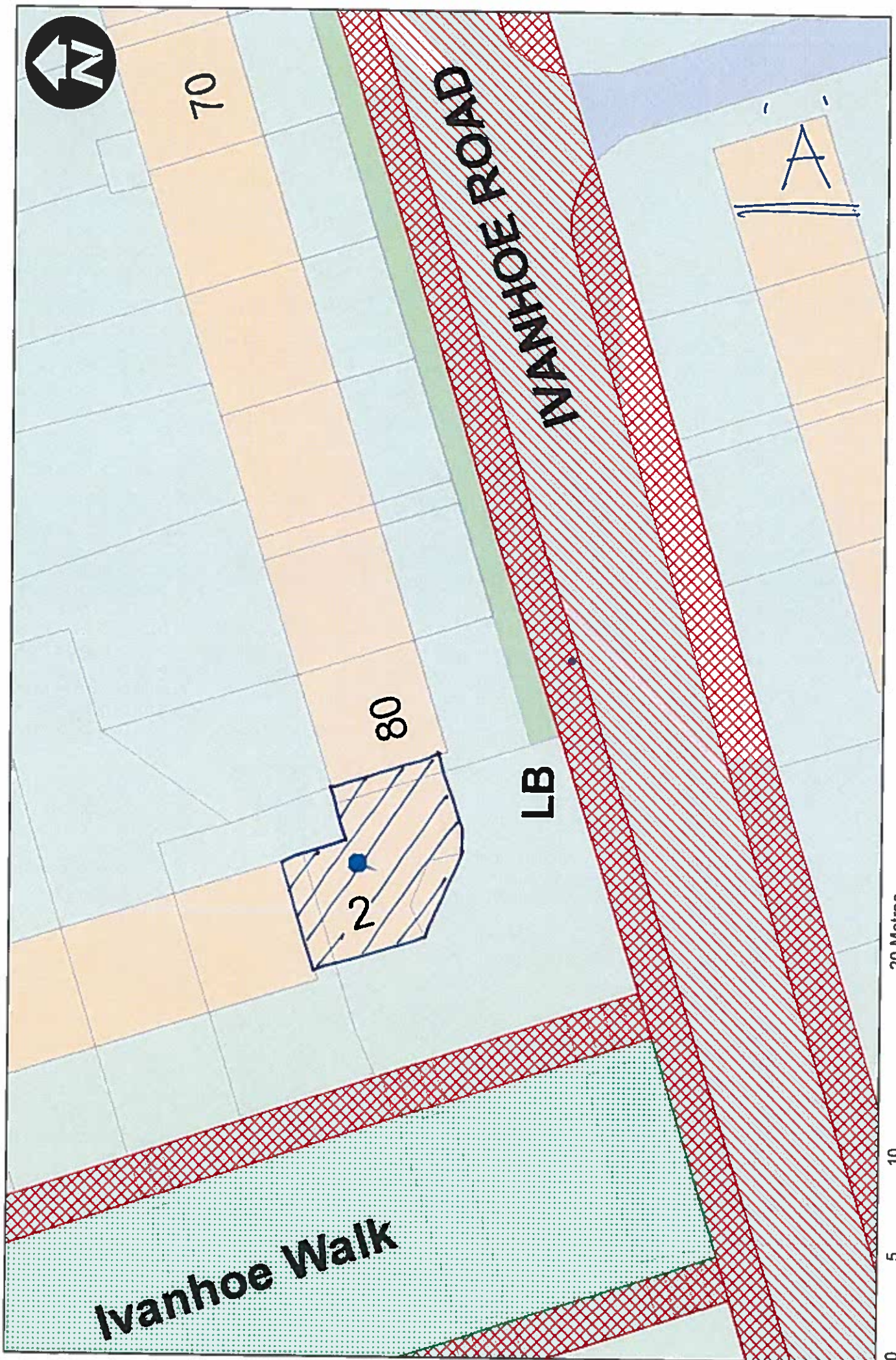
At the date of this report, the above requirements have not been completed.

Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicants' suitability as 'fit & proper' persons, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.2 Ivanhoe Walk, Aberdeen.
- The applicants and their property are currently registered with the Landlord Registration database.
- The applicants have requested an occupancy of 3 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is to renew a current HMO licence.
- The meeting of the Licensing Committee on 6 February 2018, 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 6 February 2018. 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





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	allyt@aberdeencity.gov.uk	Date	25 January 2017
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.15 Spital, Aberdeen

Applicant/s: Comper & Company Limited

Agent: Breidge McKeever, Director

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 6 February 2018 for the reason that one 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.15 Spital, Aberdeen, is the former St.Margaret's Convent converted into two separate units of two-storey HMO accommodation known as Nos.15 & 17 Spital, Aberdeen. No.15's accommodation comprises of 8 letting bedrooms, 2 public rooms, one kitchen/diner & 2 bathrooms. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 22 November 2017 and was received by the HMO Unit on 29 November 2017.

Notice of HMO Application:

The applicant has not yet submitted a Certificate of Compliance declaring the dates during which the public Notice of HMO Application was on display outside the property. However, it is now HMO Unit practice that when an HMO licence application is received, the HMO Officer will visit and take a photograph of the Notice of HMO Application. In the case of the application under consideration, the HMO Officer visited and was satisfied with the position of the Notice which was dated 23 November 2017. This date was the start of the 21-day statutory period during which the Notice must be displayed.

Letter of representation:

One written representation was received by the HMO Unit on 28 November 2017, within the above-mentioned 21-day statutory period, and must therefore be considered by the Committee. The representation is attached as Appendix 'B'.

Letter from licence-applicants:

The applicant submitted a letter in support of their application. Their letter is attached as Appendix 'C'.

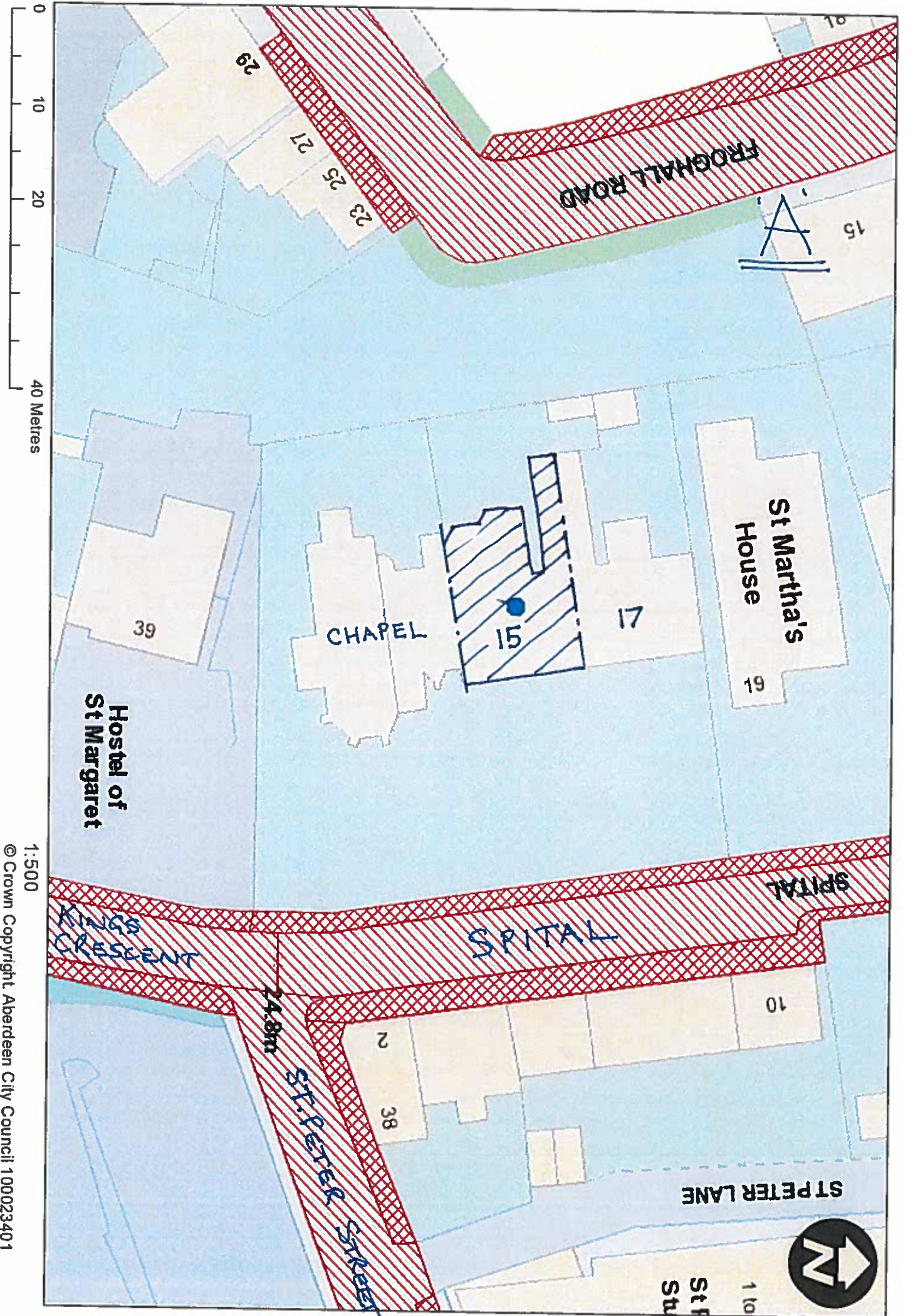
Other Considerations:

- 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 no record of any complaint of anti-social behaviour at No.15 Spital, Aberdeen.
- The applicant and No.15 Spital is currently registered with Landlord Registration.
- The applicant has requested an occupancy of 8 tenants, which is acceptable to the HMO Unit in terms of space and layout.

- No.15 Spital, Aberdeen, was until recently jointly-owned by Breidge McKeever & Jaskamal Sall. Mr Sall was first granted an HMO licence for the property in February 2010, and has renewed his HMO licence twice. The property changed hands in October 2017, and is now owned by the company of 'Comper & Company Limited' whose HMO licence application is the subject of this report. The Directors of the company are Breidge McKeever & Jaskamal Sall.
- At the date of this report, the HMO Officer has not carried out his internal inspection of No.15 Spital, although this inspection is scheduled and I should be in a position to advise the Committee on 6 February 2018 whether works are required, or whether the Committee may grant the HMO licence if they are so minded.

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



1:500
 © Crown Copyright Aberdeen City Council 100023401

By Email: HMOUnit@aberdeencity.gov.uk and signed letter

B

27th November 2017

HMO Unit Communities, Housing & Infrastructure
Business Hub 1, Lower Ground Floor West
Aberdeen City Council
Marischal College
Broad St
Aberdeen
AB10 1AB

Aberdeen City Council
Housing & Environment
DATE RECEIVED 28 NOV 2017
Private Sector Housing Unit

Dear Mr Thain

**Application for renewal of HMO licence at 15 and 17 Spital, Old Aberdeen, AB24 3HT
Bridged McKeever**

We wish to object to the renewal of this application until a waste/rubbish management plan is devised, implemented and subject to monitoring. Not only is this an eyesore for neighbouring residents it brings rats, and in the season herring gulls pecking open all the exposed rubbish.

This situation has been on-going but was often addressed by Aberdeen University Estates when they had part of 19 Spital (Langstane Housing) but this is no longer the case. This is where (from observation) No's 15 and 17 store their bins and rubbish too. This is the access point to the properties. These photos were taken on the 25th of November 2017.

Yours sincerely

Patrick and Jacinta Birchley



B



18th January 2018

HMO Unit Communities, Housing & Infrastructure
Business Hub 1, Lower Ground Floor West
Aberdeen City Council
Marischal College
Broad Street
Aberdeen
AB10 1AB

C

Dear Mr Thain,

HMO Licence Application for 15 & 17 Spital, Aberdeen

I refer to the above HMO licence applications and the letter of representation received from Mr & Mrs Birchley. The following sets out the points raised in the letter and how and by whom these have been addressed.

1) Unemptied and overflowing bins on path at 19 Spital

The bins shown in the photographs provided are the property and responsibility of Langstane HA or their tenant of 19 Spital.

Aberdeen University were the tenant of 19 Spital until 31st October 2017 with the Estates team managing the waste and recycling bins. At the time of vacating 19 Spital the Estates team did not put the bins out on the street for collection, please see email (attached to this letter) from Langstane HA confirming this.

Steps taken by Langstane HA: Langstane HA arranged for their bins to be emptied and have removed their bins.

2) Observation that tenants of 15 & 17 Spital used the Langstane HA bins on path at 19 Spital

The path at 19 Spital is owned and maintained by Langstane Housing Association, and is the access point to 15 & 17 Spital.

Steps taken by the owners of 15 & 17 Spital: In order to ensure a robust waste and recycling management plan is in place and demonstrate the commitment to continually improve their student accommodation for both residents and neighbours, the owners have implemented the following measures, all of which will be subject to regular review:

- Letters sent to the tenants of 15 & 17 Spital to remind of their responsibilities and to use the street bins.
- Additional posters displayed in the houses advising of waste and recycling plan.
- EIS waste services contracted to provide 660lt general waste, 660lt recycling and bottle bins to the houses for contingency use, as required.
- Mr Ben McKay contracted for the daily monitoring and management of the waste and recycling plan.

Finally, please can I take this opportunity to clarify that we have had students living in 15 & 17 Spital for over 8 years and there have been no problems during this period.

I trust that this matter can now be brought to a satisfactory close.

Yours sincerely,

X

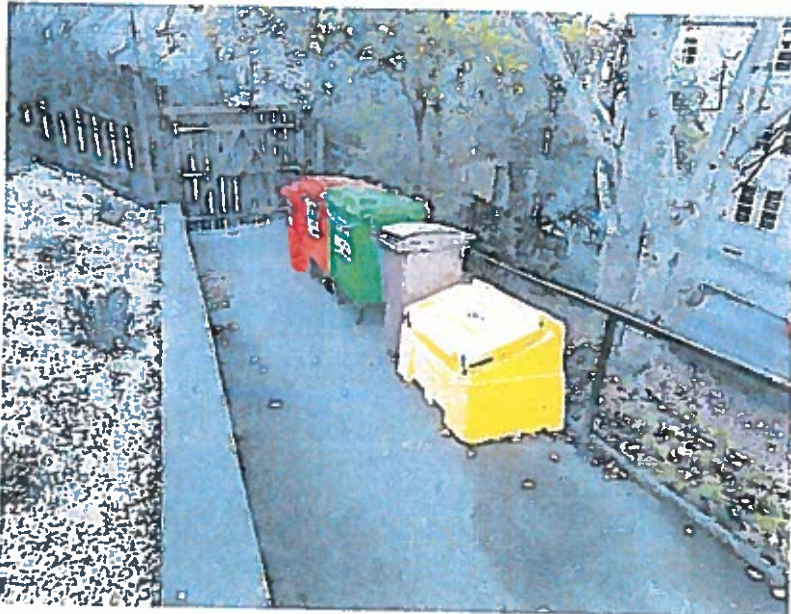
Breidge McKeever

10.

Path at 19 Spital, Langstane HA bins have been removed:



EIS bins at 15 & 17 Spital:



BMK

C

[Mon 18/12/2017, 12:30

Hi,

The lease to the University ceased at the end of October. It is my understanding that they did not put the bins out on time before they left which resulted in an accumulation of rubbish on site (multiple bin bags etc). The bin bags have all been removed however the bins are still full, we have contacted the council and asked for them to be emptied asap and are awaiting a call back. My colleague checked today and they had not been emptied. Once they are our intention is to move them so that no one can access them.

Caroline

Langstane Housing Association Ltd

From: Breidge McKeever
Sent: 18 December 2017 12:19
To: ,Caroline
Subject: 15, 17 and 19 Spital Waste Collection

Dear Caroline,

Thank you for your time earlier today to discuss the Spital properties.

Look forward to meeting you in person tomorrow at 13:30 to discuss future options/improvements.

In the meantime could you please summarise in a short email the recent issues concerning the waste collection. I understood from our call that the missed bin collection, resulting from the University not putting the bins out at the end of their tenancy, had caused the recent problem and that the University Estates team were in the process of resolving this.

Thank you in advance.

Best Regards,

Jaskamal Sall
Comper & Company Limited

B.M.K

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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	25 January 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.17 Spital, Aberdeen

Applicant/s: Comper & Company Limited

Agent: Breidge McKeever, Director

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 6 February 2018 for the reason that one 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.17 Spital, Aberdeen, is the former St.Margaret's Convent converted into two separate units of two-storey HMO accommodation known as Nos.15 & 17 Spital, Aberdeen. No.17's accommodation comprises of 8 letting bedrooms, one public room, one kitchen/diner & 2 bathrooms. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 22 November 2017 and was received by the HMO Unit on 29 November 2017.

Notice of HMO Application:

The applicant has not yet submitted a Certificate of Compliance declaring the dates during which the public Notice of HMO Application was on display outside the property. However, it is now HMO Unit practice that when an HMO licence application is received, the HMO Officer will visit and take a photograph of the Notice of HMO Application. In the case of the application under consideration, the HMO Officer visited and was satisfied with the position of the Notice which was dated 23 November 2017. This date was the start of the 21-day statutory period during which the Notice must be displayed.

Letter of representation:

One written representation was received by the HMO Unit on 28 November 2017, within the above-mentioned 21-day statutory period, and must therefore be considered by the Committee. The representation is attached as Appendix 'B'.

Letter from licence-applicants:

The applicant submitted a letter in support of their application. Their letter is attached as Appendix 'C'.

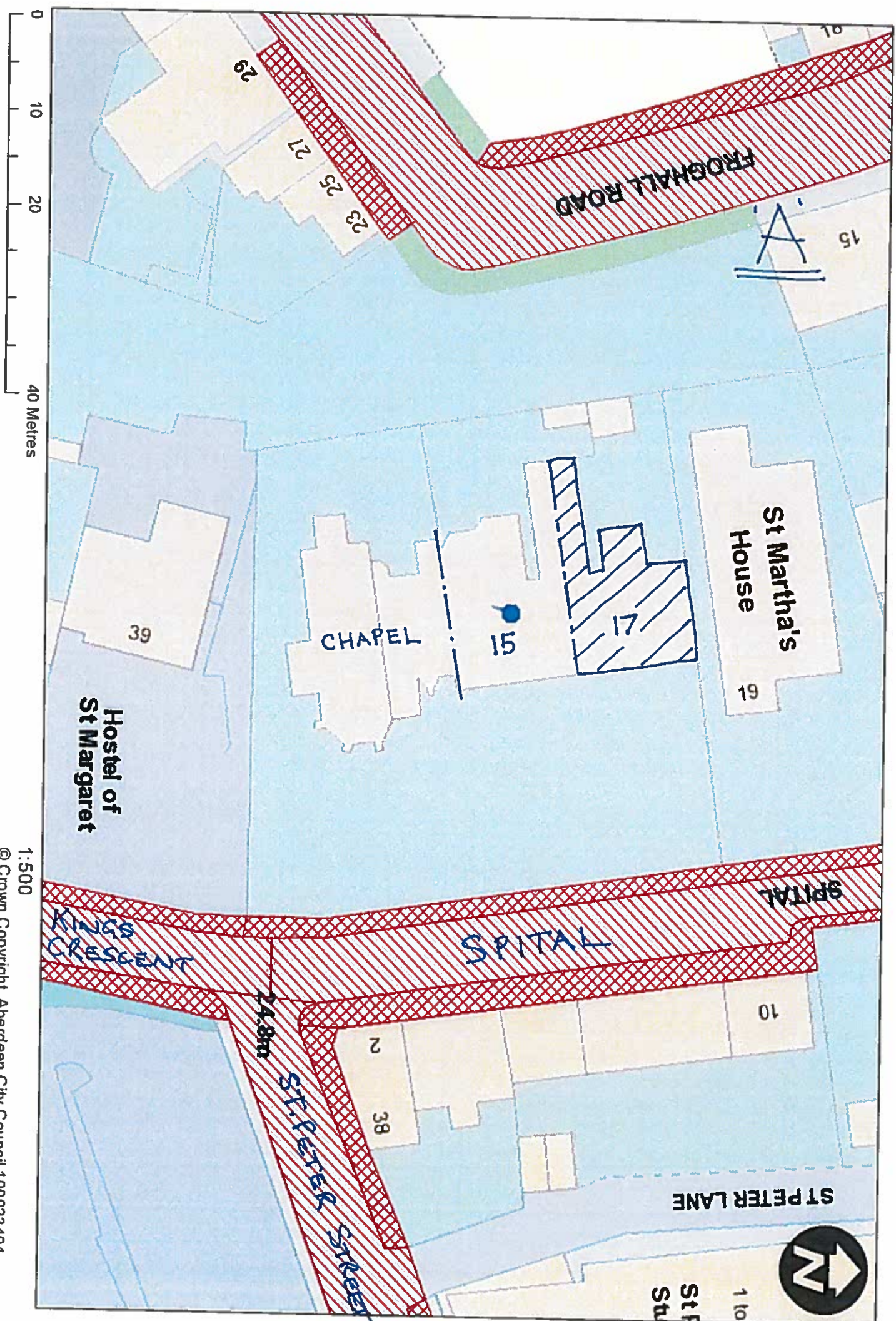
Other Considerations:

- 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 no record of any complaint of anti-social behaviour at No.17 Spital, Aberdeen.
- The applicant and No.17 Spital is currently registered with Landlord Registration.
- The applicant has requested an occupancy of 8 tenants, which is acceptable to the HMO Unit in terms of space and layout.

- No.17 Spital, Aberdeen, was until recently jointly-owned by Breidge McKeever & Jaskamal Sall. Mr Sall was first granted an HMO licence for the property in October 2009, and has renewed his HMO licence twice. The property changed hands in October 2017, and is now owned by the company of 'Comper & Company Limited' whose HMO licence application is the subject of this report. The Directors of the company are Breidge McKeever & Jaskamal Sall.
- At the date of this report, the HMO Officer has not carried out his internal inspection of No.17 Spital, although this inspection is scheduled and I should be in a position to advise the Committee on 6 February 2018 whether works are required, or whether the Committee may grant the HMO licence if they are so minded.

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



By Email: HMOUnit@aberdeencity.gov.uk and signed letter

B

27th November 2017

HMO Unit Communities, Housing & Infrastructure
Business Hub 1, Lower Ground Floor West
Aberdeen City Council
Marischal College
Broad St
Aberdeen
AB10 1AB

Aberdeen City Council
Housing & Environment
DATE RECEIVED 28 NOV 2017
Private Sector Housing Unit

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Patrick and Jacinta Birchley



B



18th January 2018

HMO Unit Communities, Housing & Infrastructure
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Aberdeen City Council
Marischal College
Broad Street
Aberdeen
AB10 1AB

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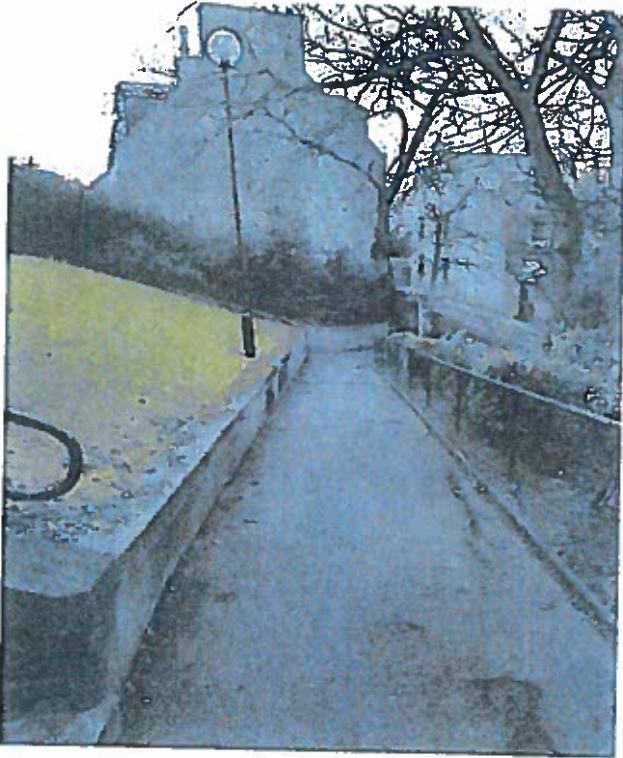
Yours sincerely,

X

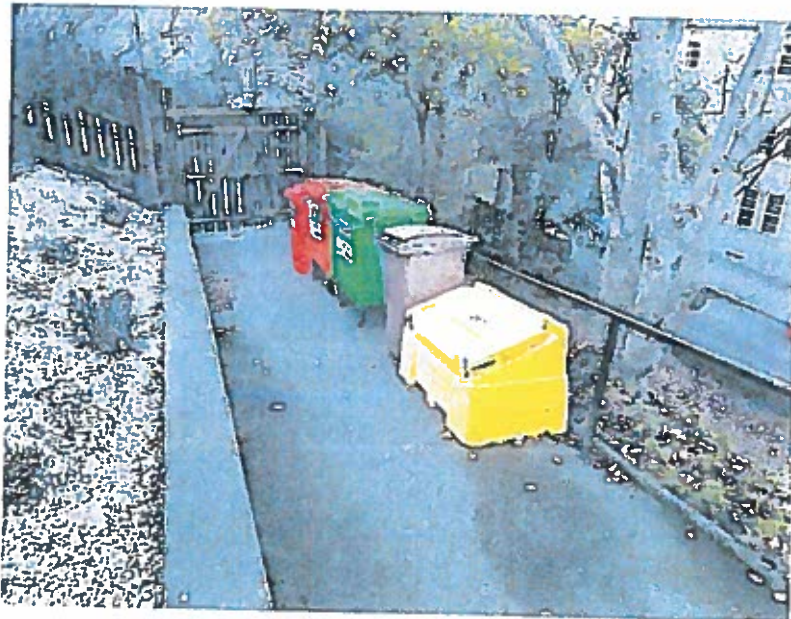
Breidge McKeever

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EIS bins at 15 & 17 Spital:



BYK

C

| Mon 18/12/2017, 12:30

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Caroline

Langstane Housing Association Ltd

From: Breidge McKeever
Sent: 18 December 2017 12:19
To: ,Caroline
Subject: 15, 17 and 19 Spital Waste Collection

Dear Caroline,

Thank you for your time earlier today to discuss the Spital properties.

Look forward to meeting you in person tomorrow at 13:30 to discuss future options/improvements.

In the meantime could you please summarise in a short email the recent issues concerning the waste collection. I understood from our call that the missed bin collection, resulting from the University not putting the bins out at the end of their tenancy, had caused the recent problem and that the University Estates team were in the process of resolving this.

Thank you in advance.

Best Regards,

Jaskamal Sall
Comper & Company Limited

B.M.K

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LICENSING COMMITTEE INFORMATION SHEET 6 FEBRUARY 2018

TYPE OF APPLICATION: APPLICATION FOR RENEWAL OF A STREET TRADER'S LICENCE (EMPLOYER)

APPLICANT: MAUREEN ROSS

PREMISES: EXPLORATION DRIVE, GREENHOLE PLACE, INTOWN ROAD

DESCRIPTION

- The application requires to be determined by 6 May 2018

CONSULTEES

Police Scotland- no objection

EH- No objection

Roads- no objection

OBJECTIONS/REPRESENTATIONS

Public- Moorfield Group- objecting to Exploration Drive Site

COMMITTEE GUIDELINES/POLICY

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.



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

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

Registered in England No. 065196

The snack van has been in situ since August 2016. The Licence is due to expire on 26th 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 is not being 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 26th November 2017.

We look forward to hearing from you in early course.

Yours faithfully

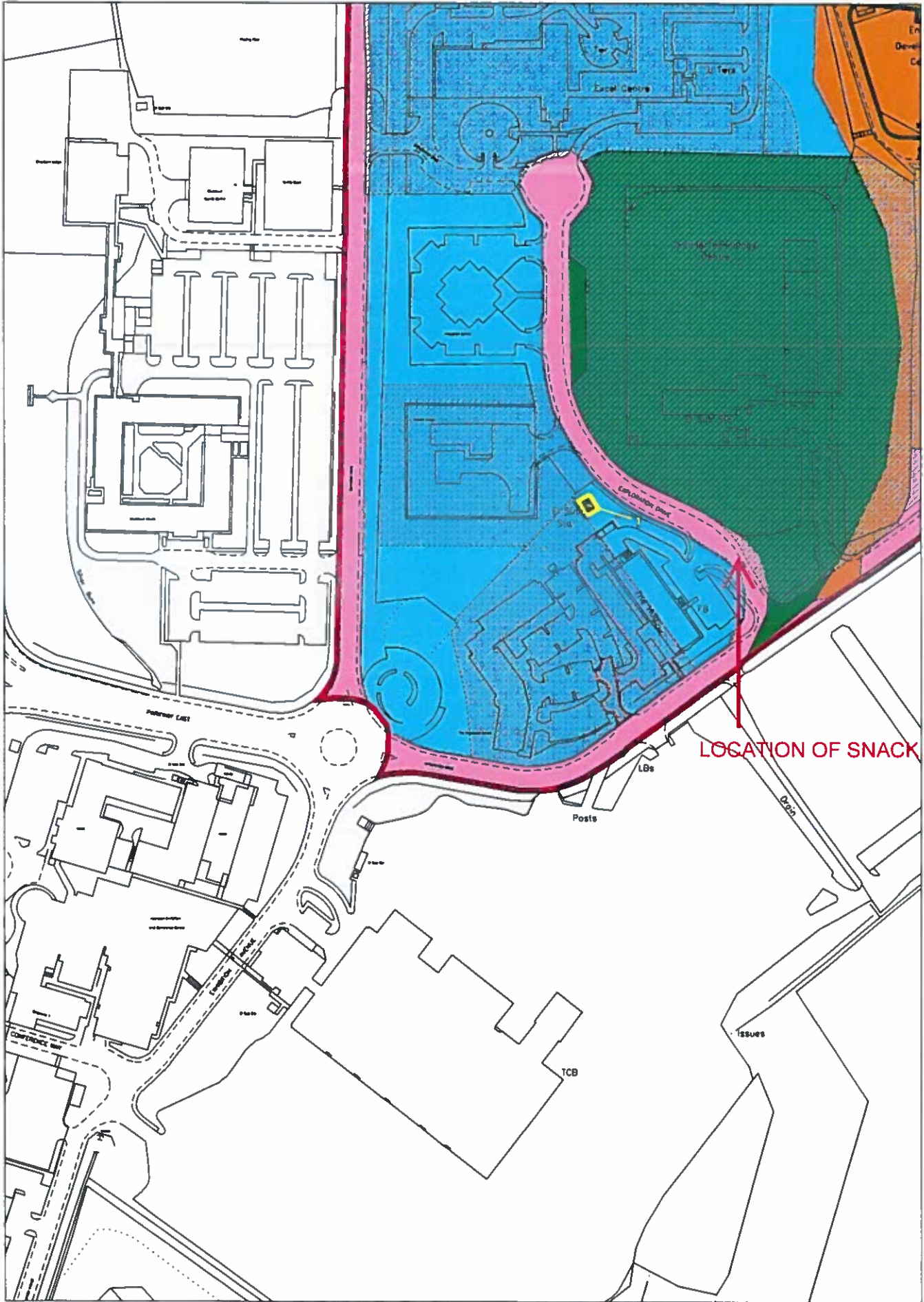


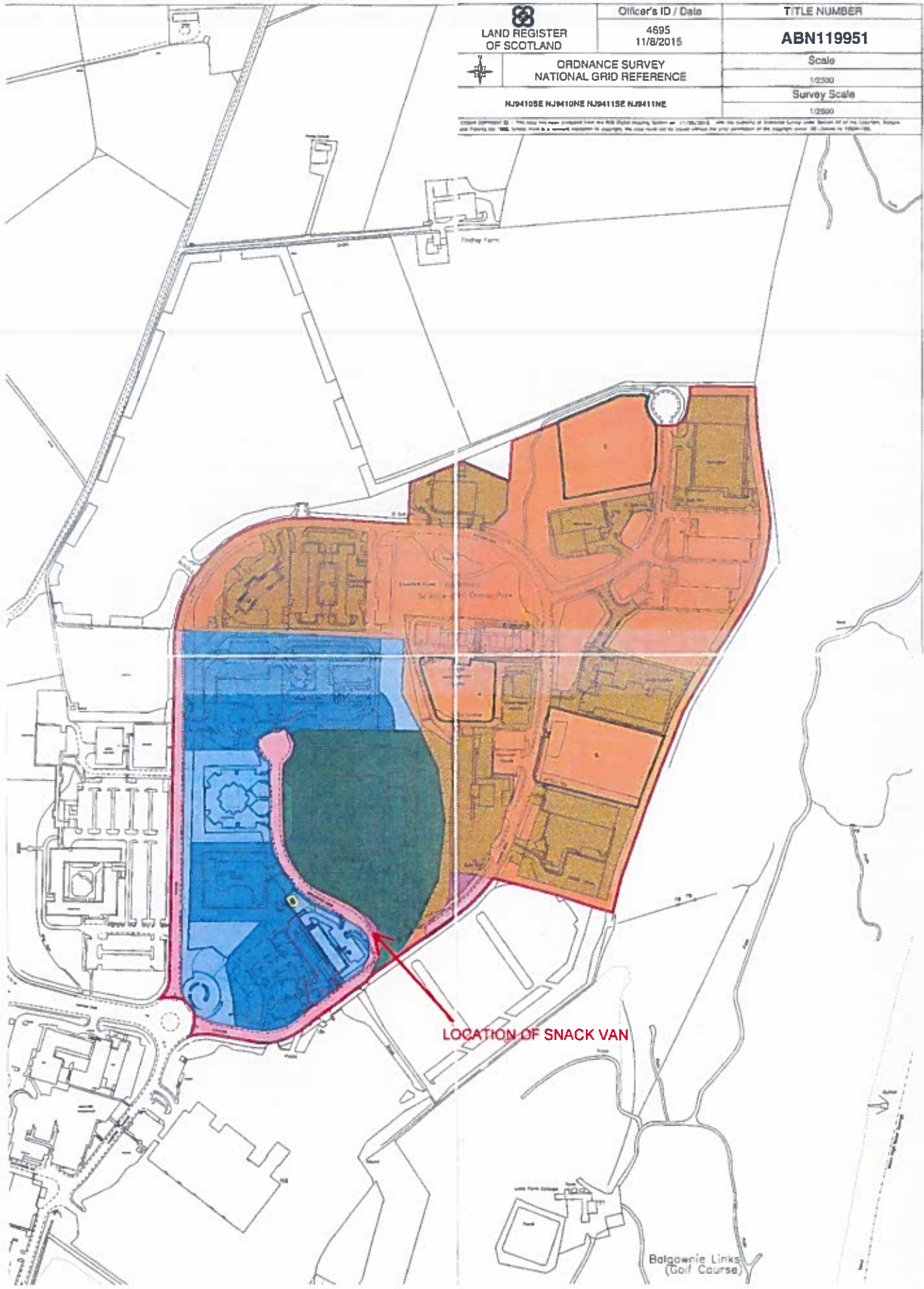
Head of Asset Management

Moorfield.com

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

Registered in England No. 10263196

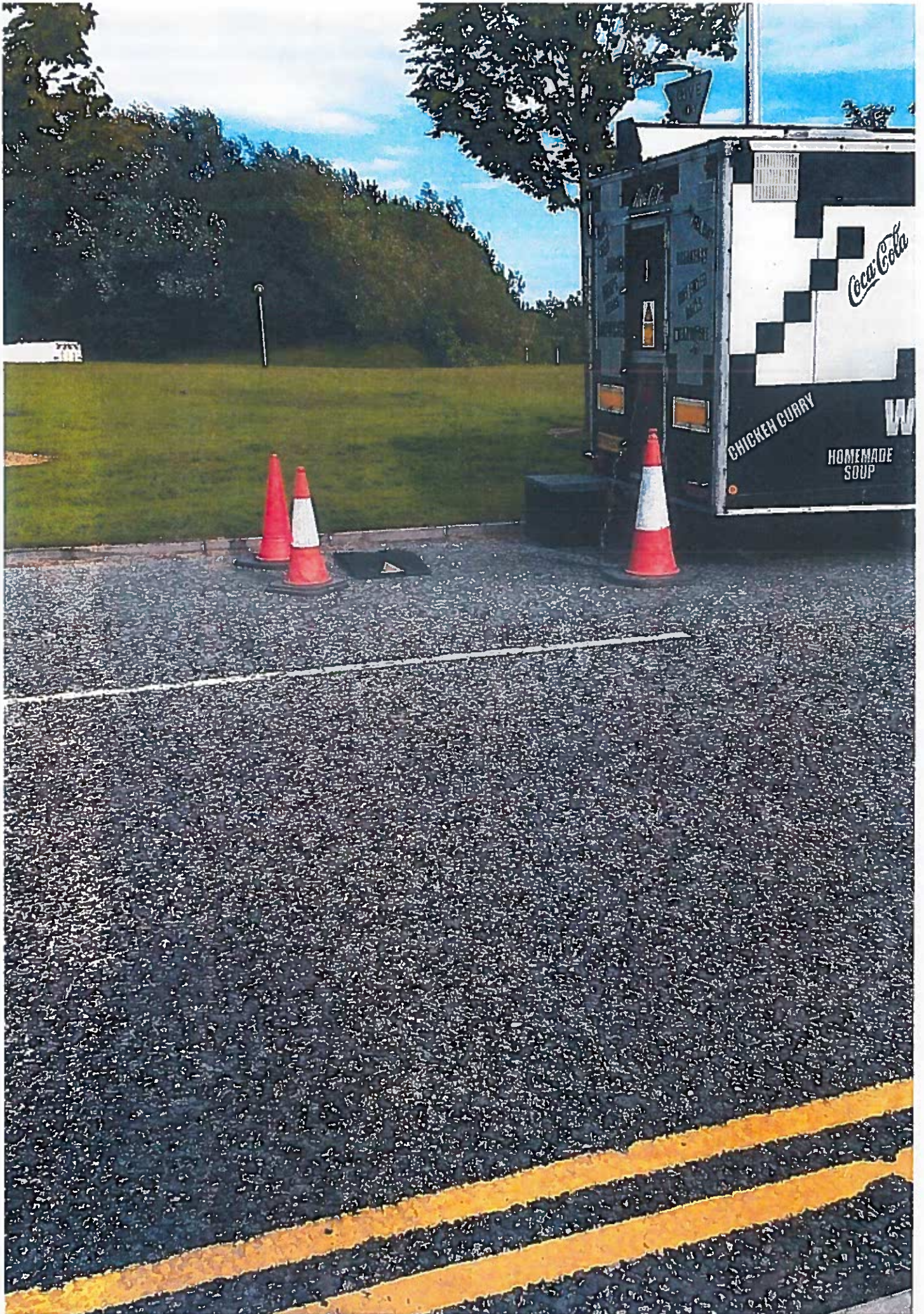














LICENSING COMMITTEE INFORMATION SHEET 6 FEBRUARY 2018

TYPE OF APPLICATION: APPLICATION FOR RENEWAL OF A STREET TRADER'S
LICENCE (EMPLOYER)

APPLICANT: LEANNE THOMPSON

PREMISES: GREENBANK ROAD

DESCRIPTION

- The application requires to be determined by 28 March 2018
- The applicant has been advised, no response received by phone or email
- EH have attempted to visit but the van appeared closed

CONSULTEES

Police Scotland- no objection

Roads- no objection

OBJECTIONS/REPRESENTATIONS

- EH- No Certificate of Compliance

COMMITTEE GUIDELINES/POLICY

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 6 FEBRUARY 2018

TYPE OF APPLICATION: APPLICATION FOR RENEWAL OF A STREET TRADER'S LICENCE (EMPLOYER)

APPLICANT: ANDREA DOUGLAS

PREMISES: GREENWELL ROAD

DESCRIPTION

- The application requires to be determined by 1 April 2018
- The applicant has been advised that she needs to apply for a Certificate of Compliance

CONSULTEES

Police Scotland- no objection

Roads- no objection

OBJECTIONS/REPRESENTATIONS

- EH- No Certificate of Compliance

COMMITTEE GUIDELINES/POLICY

GROUNDS FOR REFUSAL

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

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(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 6 FEBRUARY 2018

TYPE OF APPLICATION: APPLICATION FOR RENEWAL OF A STREET TRADER'S LICENCE (EMPLOYER)

APPLICANT: SARAH BEATTIE

PREMISES: GATEWAY BUSINESS PARK

DESCRIPTION

- The application requires to be determined by 5 April 2018
- The applicant has been advised that she needs to apply for a Certificate of Compliance
- Ms Beattie had a certificate which expired in December, as the application was submitted in October this does not give a certificate with at least 6 months, therefore a new certificate was required.

CONSULTEES

Police Scotland- no objection

Roads- no objection

OBJECTIONS/REPRESENTATIONS

- EH- No Certificate of Compliance

COMMITTEE GUIDELINES/POLICY

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(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 6 FEBRUARY 2018

TYPE OF APPLICATION: APPLICATION FOR GRANT OF A PUBLIC ENTERTAINMENT LICENCE

APPLICANT: ST CLEMENT'S SCOTTISH EPISCOPA CHURCH

PREMISES: ST CLEMENT'S CURCH

DESCRIPTION

- The application requires to be determined by 5 March 2018
- The applicant has advised they will send this in

CONSULTEES

Police Scotland- no objection

EH

BS

OBJECTIONS/REPRESENTATIONS

- LD- Confirmation of Site Notice

COMMITTEE GUIDELINES/POLICY

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.

The following require to be rectified

From: Kirsty Watt
Sent: 16 October 2017 11:39
To: BSlicence
Subject: Linx Ice Arena - Licensing inspection

Good morning,

Following an inspection of the above this morning, the below points have been raised:

1. The emergency lighting book has had faults raised (between 66- 100 (3hour test)) over the past 3 months,
2. There are some areas in the women's ground floor toilets off of the changing rooms where the flooring is lifting, thus causing a trip hazard,
3. There is a door missing in the toilets at the mens changing room,
4. There is a lock missing to one of the male toilet doors,
5. The external plats serving the final escape doors require the edging to be highlighted,
6. Some of the nosings to the steps at the spectator area have come off - these need re-highlighted, and fixed down fully to prevent any trip hazards,
7. The final exit door to the rear mens changing rooms needs to be changed to a push bar (this has recently been replaced when the doors were painted however the incorrect ironmongery has been fitted),
8. The external escape routes on the south west corner of the rink must be kept clear- there are pallets obstructing the external route adjacent to the private car park,
9. As there some construction works ongoing at the moment, there is a temporary generator in use. The ducting from this is blocking the escape door from the south west corner of the ice rink,
10. Signage must be adjusted to ensure it is clear which directions the occupants must escape to.

Kind regards,

Kirsty Watt
Building Standards Officer

Planning & Sustainable Development
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4, Ground Floor North
Marischal College
Broad Street
Aberdeen AB10 1AB

E-mail: KiWatt@aberdeencity.gov.uk
Direct Dial: 01224 522754



The Portal is now live, online applications can be submitted through the following link:
<http://ebuildingstandards.scot/>

We are committed to improving the quality of the service we provide and would like to know your views on the service you have received.

By clicking on the following link and selecting Building Standards and/or Development Management and filling out the online feedback forms you will be helping us learn what we need to do better – <http://www.aberdeencity.gov.uk/customerfeedback/>.

 **Protect the environment...please don't print this e-mail *unless you really need to.***

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LICENSING COMMITTEE INFORMATION SHEET

06 FEBRUARY 2018

TYPE OF APPLICATION: PUBLIC ENTERTAINMENT LICENCE

APPLICANT: ST CLEMENTS CHURCH

INFORMATION NOTE

Application must be determined by 05 March 2018

DESCRIPTION

Confirmation of site notice has not been received. The applicant has been requested to return the notice as soon as possible. To date it has not been received.

CONSULTEES

- Police Scotland
- EH
- BS

OBJECTIONS/REPRESENTATIONS

LD- Confirmation of site notice

COMMITTEE GUIDELINES/POLICY

GROUNDS FOR REFUSAL

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

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(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

06 FEBRUARY 2018

TYPE OF APPLICATION: LATE HOURS CATERING GRANT

APPLICANT: ZAFAR IQBAL

INFORMATION NOTE

Application must be determined by 28 February 2018

DESCRIPTION

Late hours catering grant, confirmation of site notice has not been received. Contact has been made with Mr Iqbal who advises he will submit it, when it was not received we called back and were advised he forgot and he will send it, to date we have not received it back. It has been explained to the applicant of the importance.

CONSULTEES

- Police Scotland
- EH

OBJECTIONS/REPRESENTATIONS

LD- Confirmation of site notice

COMMITTEE GUIDELINES/POLICY

GROUNDS FOR REFUSAL

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

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

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

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

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

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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

06 FEBRUARY 2018

TYPE OF APPLICATION: LATE HOURS CATERING GRANT

APPLICANT: GOLDEN HOUSE, 14 KING STREET

INFORMATION NOTE

Application must be determined by 2 April 2018

DESCRIPTION

Late hours catering grant, confirmation of site notice has not been received.

CONSULTEES

- Police Scotland
- EH

OBJECTIONS/REPRESENTATIONS

LD- Confirmation of site notice

COMMITTEE GUIDELINES/POLICY

GROUNDS FOR REFUSAL

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

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

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

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

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

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- (i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;
 - (ii)the nature and extent of the proposed activity;
 - (iii)the kind of persons likely to be in the premises, vehicle or vessel;
 - (iv)the possibility of undue public nuisance; or
 - (v)public order or public safety; or
 - (d)there is other good reason for refusing the application;
- and otherwise shall grant the application.**

LICENSING COMMITTEE INFORMATION SHEET

06 FEBRUARY 2018

TYPE OF APPLICATION: Private Hire Car Driver Licence- RENEWAL

APPLICANT: Robert Mackintosh McKenzie

LICENCE: PHD240

INFORMATION NOTE

Application submitted 29/08/2017.
Must be determined by 28/02/2018.

Applicant has held a Private Hire Car Driver licence since 05/09/2016.

The applicant has not passed the street knowledge test.

He was booked in for testing on 02/10/17 & 15/01/18 and could not attend either. He has re-booked for 22/01/2018.

DESCRIPTION

Renewal of Private Hire Car Driver Licence

CONSULTEES

- Police Scotland

OBJECTIONS/REPRESENTATIONS

COMMITTEE GUIDELINES/POLICY

All applicants for a Private Hire Car Driver licence must pass the street knowledge test

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;

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

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

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

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

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

and otherwise shall grant the application.

LICENSING COMMITTEE INFORMATION SHEET

06 FEBRUARY 2018

TYPE OF APPLICATION: Private Hire Car Driver Licence- RENEWAL

APPLICANT: Shafiqur Khan

LICENCE: PHD245

INFORMATION NOTE

Application submitted 29/09/2017.
Must be determined by 28/03/2018.

Applicant has held a Private Hire Car Driver licence since 30/09/2016.

The applicant has not passed the street knowledge test as required by Licensing committee policy.

He was booked in for the test on 15/01/2018 and failed to attend. He has not re-booked.

DESCRIPTION

Renewal of Private Hire Car Driver Licence

CONSULTEES

- Police Scotland

OBJECTIONS/REPRESENTATIONS

COMMITTEE GUIDELINES/POLICY

All applicants for a Private Hire Car Driver licence must pass street knowledge test

GROUNDS FOR REFUSAL

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

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

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

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

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

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(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

06 FEBRUARY 2018

TYPE OF APPLICATION: Taxi Driver Licence- GRANT

APPLICANT: Ala Eddin Al Sahar

LICENCE:

INFORMATION NOTE

Application submitted 21/11/2017.
Must be determined by 20/05/2018.

Applicant has held a Private Hire Car Driver licence since 25/07/2016 but did not pass the street knowledge test at that time (the policy was not in force).

Consequently the applicant was required to pass the street knowledge test on renewal of his Private Hire Car Driver licence (submitted 10/07/17) which he did on 08/01/2018.

However Licensing committee policy requires all new applicants for a Taxi Driver licence to pass the street knowledge test. Officers do not have delegated powers to exempt an applicant from this for any reason. The applicant has requested to be exempt from this policy as he has just passed the street knowledge test as a Private Hire Car Driver.

DESCRIPTION

Grant of Taxi Driver Licence

CONSULTEES

- Police Scotland

OBJECTIONS/REPRESENTATIONS

COMMITTEE GUIDELINES/POLICY

All applicants for Grant of Taxi Driver licence must pass street knowledge test

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;

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(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

06 FEBRUARY 2018

TYPE OF APPLICATION: Taxi Driver Licence- RENEWAL

APPLICANT: Colin Bruce Taylor

LICENCE: 0869

INFORMATION NOTE

Application submitted 31/08/2017.
Must be determined by 28/02/2018.

Applicant has held a taxi driver licence since before 2000 (when records were computerised).

The applicant has not provided a copy of their DVLA driving licence or either an extract from their DVLA record or a DVLA check code for officers to check their record.

Attempts were made to contact the applicant by telephone on 05/12/2017 and 14/12/2017 and he was finally contacted on 12/01/2018 when he advised that he was waiting for his licence to be returned from DVLA.

These are required in order to confirm an applicant has held a licence for 12 consecutive months prior to the application being made and whether he has any penalty points on his licence.

DESCRIPTION

Renewal of Taxi Driver Licence

CONSULTEES

- Police Scotland

OBJECTIONS/REPRESENTATIONS

COMMITTEE GUIDELINES/POLICY

All applicants for a Taxi Driver licence must provide a copy of their DVLA driving licence and either a DVLA check code or extract.

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—

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(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

06 February 2018

TYPE OF APPLICATION: Taxi Operator Licence- RENEWAL

APPLICANT: James Gordon Andrew

LICENCE: T694

INFORMATION NOTE

Application submitted 29/09/2017.
Must be determined by 28/03/2018.

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

Vehicle MX63 AHA was last tested on 22/12/2016 and that test expired on 30/03/2017.

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—

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(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

06 February 2018

TYPE OF APPLICATION: Taxi Operator Licence- RENEWAL

APPLICANT: City Wide taxis Ltd

LICENCE: T154

INFORMATION NOTE

Application submitted 25/08/2017.
Must be determined by 24/02/2018.

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

Vehicle MT66 YBR was last tested on 28/03/2017 and that test expired on 31/08/2017.

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—

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(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

06 February 2018

TYPE OF APPLICATION: Taxi Operator Licence- RENEWAL

APPLICANT: Rainbow Cars Ltd **LICENCE:** T916

INFORMATION NOTE

Application submitted 25/08/2017.
Must be determined by 24/02/2018.

Applicant has held this licence since 31/05/2011.

Vehicle SF64 DPZ was last tested on 06/01/2017 and that test expired on 28/02/2017.

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—

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(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

06 February 2018

TYPE OF APPLICATION: Taxi Operator Licence- RENEWAL

APPLICANT: Rainbow Cars Ltd **LICENCE:** T917

INFORMATION NOTE

Application submitted 25/08/2017.
Must be determined by 24/02/2018.

Applicant has held this licence since 31/05/2011.

Vehicle SF16 CAE was last tested on 01/08/2016 and that test expired on 28/02/2017.

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—

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(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 6 FEBRUARY 2018

TYPE OF APPLICATION: CONSIDERATION OF POTENTIAL LICENSABLE ACTIVITY-
SPECIAL EVENTS PRIVATE HIRE DRIVER LICENCE

APPLICANT: ROBERT CARMICHAEL

PREMISES: N/A

DESCRIPTION:

The applicant wishes to start a business whereby tuk tuk's as shown in the attached pamphlets are used on a specific route in the city to transport patrons. The applicant wishes to gauge the view of the Committee of such a licence before fully committing to the expense of such a venture.

POLICY: Please see attached policy guideline, specifically Special Event Private Hire Car Driver Licence

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ABERDEEN CITY COUNCIL

GUIDANCE NOTES FOR LICENSING OF STRETCHED LIMOUSINES AND THEIR DRIVERS

Types of vehicles requiring to hold special event private hire car licences.

Only vehicles adapted to carrying 8 or less passengers can be licensed by the Council as Private Hire Cars under the Civic Government (Scotland) Act 1982.

Special Event Private Hire Car licences are not required where the vehicle is exclusively used in connection with funerals or weddings or if the vehicle is only ever hired out to one customer at a time for a period of more than 24 hours.

The ability to licence a vehicle as Special Event Private Hire Car will be restricted to stretched limousine or other types of “novelty” vehicles. Mass produced saloon cars or wheelchair accessible vehicles will require to be licensed under the normal taxi or private hire car requirements.

Other vehicles capable of carrying more than 8 passengers may require other licences or permissions. Operators of such vehicles should obtain their own legal advice and contact the Traffic Commissioner in relation to any requirements such as PSV licensing.

All operators should also ensure they have appropriate insurance to carry fare paying passengers.

Which Council to obtain a licence from.

The important issue is where the driver of the vehicle is when he receives the booking for the vehicle. If he is in Aberdeen then the licence for the vehicle has to be obtained from Aberdeen City Council. If the booking office and driver are based, for example, in Aberdeenshire and the driver is in Aberdeenshire, a licence is required from Aberdeenshire Council. If a booking is received in Aberdeenshire and transmitted to the driver who is based in Aberdeen with the vehicle, then a licence is required from Aberdeen City.

Application for Special Event Private Hire Car Licence.

1. Application forms can be downloaded from www.aberdeencity.gov.uk/licensing and should be sent to Aberdeen City Council, Taxi Inspection Centre, 38 Powis Tce, Aberdeen, AB25 3RF together with the application fee.

2. It is important that the application is in the name of the business entity that conducts the hiring business.

3. Once we receive the application, an appointment will be made at Mintlaw Repair Depot, Station Road, Mintlaw for the vehicle to be inspected.

4. Procedure After Initial Inspection

Aberdeenshire Council Inspection Centre will provide Aberdeen City Council with an inspection report on the vehicle's suitability and safety. You must then telephone the Taxi Inspection Centre, Kittybrewster (01224 489300) to make an appointment to attend with your limousine. Someone who already holds a special events private hire car driver's licence or an applicant for such a licence should accompany the vehicle.

5. Information and documents to be taken with vehicle to Taxi Inspection Centre.

The applicant must provide full documentation relating to the conversion of the vehicle, its importation and registration. SVA certificate must be submitted, along with the vehicles log book, ownership certificate, current insurance documentation and current MOT Certificate. Copies of the foregoing will not be accepted.

6. Type of Vehicle and Modifier.

The Council does not insist that the vehicle has been modified under an approved modifier scheme, such as the QVM and CMC schemes. The vehicle's suitability as regards its design, type and construction will be judged on its own merits.

7. Age of Vehicle.

The maximum age of vehicles at the date they are first licensed for use as private hire cars is usually 4 years from first registration. This will not be a requirement for Special Event Private Hire Cars. As with all private hire cars, there would not be a maximum age for a vehicle once licensed, but the vehicle must remain in good condition and pass inspections.

8. Vehicle Condition and Requirements on Presentation for Inspection.

- (a) The vehicle must be clean, there should be no rust on the bodywork, and paint and chrome must be in good condition.
- (b) Left hand drive vehicles are permitted provided sufficient mirrors are fitted.
- (c) All lights must comply with and be adjusted to meet UK requirements.
- (d) The vehicle must be fitted with at least four doors, two on each side.
- (e) Vehicles must be designed to carry not more than eight passengers plus the driver.
- (f) The stretch of the vehicle must not exceed 140 inches from the original manufacturer's chassis.
- (g) Vehicles must be fitted with seat belts of an acceptable type for all forward and rear facing passengers and for the driver. Side facing seats will not require seatbelts, but if these are fitted, they must be of an acceptable type. All seatbelts must be securely fitted and in good condition.
- (h) Vehicles must be fitted with the correct make and type of tyre.
- (i) The Council will certify the vehicle for the carriage of an appropriate number of passengers and no passengers over that number should be carried. In addition, no more than eight passengers should be carried.
- (j) The fitting of a taximeter in the vehicle is prohibited.

Note – All applications will be considered on their own merits.

9. Procedure after presentation of vehicle and documentation at Taxi Inspection Centre.

The Aberdeen City Solicitor can grant the application under delegated powers, or the matter can be referred to the Council's Licensing Committee for a hearing, to which the applicant will be invited.

10. Procedure following Grant of a Licence.

The licence holder will be invited to attend the Aberdeen City Taxi Inspection Centre at Kittybrewster, Aberdeen to collect his Licence ID plate and Insurance disc. The licence lasts for one year. The licence will be subject to conditions, a copy of which can be down loaded from www.aberdeencity.gov.uk/licensing.

11. Subsequent Tests.

Vehicles are thereafter subject to a further test every six months. Vehicles can be required to attend for additional tests or be subject to spot checks in the usual way. Vehicles cannot be modified or adapted without first obtaining the Council's approval.

12. Substitution of Vehicle.

If a licence holder wished to substitute a new vehicle on to the licence, an application for substitution requires to be made and the new vehicle will be subject to the same inspection procedures set out above.

13. Status of the Licensed Vehicle.

As a private hire car is always a private hire car, once it is licensed, – (a) the vehicle must at all times only be driven by a licensed Aberdeen City Taxi Driver, Private Hire Car Driver, or Special Events Private Hire Car Driver, even if it is being used in connection with a wedding or funeral and (b) Rear Plates must be permanently fitted to the vehicle. These cannot be removed at any time, even if the vehicle is used for weddings or funerals.

Special Event Private Hire Car Driver Licence.

1. In addition to Aberdeen City Special Event Private Hire Drivers, only Aberdeen City Licensed Taxi and Private Hire Car Drivers are permitted to drive Special Event Private Hire Cars.

2. An application form for a Special Events Private Hire Car Driver Licence can be down loaded from www.aberdeencity.gov.uk/licensing and should be sent to Office of City Solicitor, Resources Management, Aberdeen City Council, Ground Floor, Town House, Broad Street, Aberdeen AB10 1AQ together with the application.

3. The applicant for a Special Event Private Hire Car Driver licence will not require to pass the street knowledge test required by taxi and private hire car drivers, but will have to pass a test on his knowledge of Highway Code and a driving assessment by the Council's Taxi Inspector. A copy of the application will be sent to Grampian Police. The Aberdeen City Solicitor can grant the application under delegated powers, or the matter can be referred to the Council's Licensing Committee.

4. Procedure following Grant of a Licence

The licence certificate will be sent to the applicant together with details of how to obtain the required Driver Photo ID badge.

5. Conditions.

The licence will be subject to conditions, a copy of which can be downloaded from www.aberdeencity.gov.uk/licensing These include the driver being responsible for ensuring that (a) whilst the vehicle is in motion, passengers remain seated, (b) passengers do not lean out of the windows of the vehicle or to stand out of sun roofs and (c) passengers do not act in an inappropriate manner or distract other road users.

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Technical Specifications



World's No.1 3-wheeler.
Nigeria's No.1 Key Key.

Engine

Type	Twin Spark plug, 2 valve, 4-stroke engine with Aluminum block
Cubic Capacity	198.88 cc
Power	8.1 kW @ 5000 +/- 250 rpm
Torque	18.0 Nm @ 3500 +/- 250 rpm
Engine Cooling	Air Cooled + Oil Cooled
Clutch	Wet Multi plates type + Anti Judder
Oil Strainer	Magnetic
Oil filter	Screw-on type bigger filter

Chassis & Body

Suspension - Rear	Independently sprung rear wheel by trailing arm with helical spring & hydraulic damper
Spare Wheel	Near Driver with anti-theft lock
Front Mudguard	Metallic
Bumper	Chassis mounted
Scudo	Protruded design
Fuel tank Capacity	Petrol : 8 liters & 1.5 liters reserve

Dimensions

Wheel Base	2000 mm
Overall Length	2635 mm
Overall Width	1300 mm
Overall Height	1710 mm
Wheel Track	1150 mm
Turning Circle Radius	2880 mm
Minimum Ground Clearance	200 mm

Electricals

TPS (Throttle Position Sensor)	Mounted on carburetor
Battery Location	Near Driver with anti-theft lock/12V 32 Ah
Magneto	150 W

Weights

GVW	678 Kgs
Payload	330 Kgs
Kerb Weight	348 Kgs

Performance

Gradeability	19%
Top Speed	65 km/h



Bajaj Auto Limited
Akurdi, Pune 411 035, India.
www.globalbajaj.com

Distributed by:

Dealer:

Notes: Values given above are nominal & for guidance only, 15% variation is allowed to cater to production and measurement. • All dimensions are under un-laden conditions. • Definitions of terminologies wherever applicable are as per Relevant IS/ISO standards. • Specifications are subject to change without notice.

20
Advanced
Features!

Introducing the all-new
Bajaj RE
with the revolutionary
Twin-Spark Engine.



Two Spark Plugs



Reinforced Chassis



Bigger Oil Filter



Improved Reverse Gear



Anti Judder Clutch



Increased Leg Space



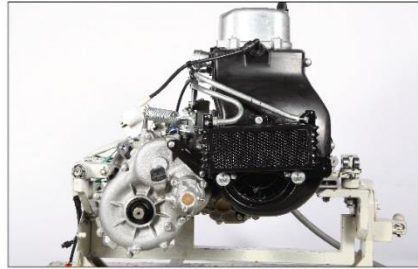
World's No.1 3-wheeler.
Nigeria's No.1 Keke.

20 new advancements
make the new Bajaj RE
the perfect 3-wheeler!

Page 270



PERFORMANCE



DIGITAL TWIN SPARK ENGINE

- Two spark plugs
- Complete fuel burning
- › More power & torque
- › Lower emissions



REDESIGNED GEAR MECHANISM

- Redesigned gear teeth
- Increased slot width
- › Smoother driveability



REDESIGNED ENGINE COOLING MECHANISM

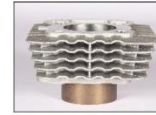
- Corrugated fins
- Redesigned fan
- › More mileage



DIGITAL IGNITION WITH TPS

- Optimum ignition time in varying load conditions
- › Greater load pulling capability
- › Better gradeability

DURABILITY



REDESIGNED ENGINE CYLINDER BLOCK & PISTON

- New cylinder block
- Redesigned piston
- › Reduces wear & tear



REDESIGNED DUST COVER AND FUEL TANK

- Dust cover sealed with crankcase
- › Protects from dust & foreign particles



DUAL OIL FILTRATION

- Bigger oil filtration area
- Magnetic oil strainer
- › Removes ferrous impurities from oil
- › Reduced running cost
- › Cleaner emissions



REDESIGNED CRANK CASE AND CAMSHAFT

- Bigger main gear shaft bearing
- Modified oil lubrication camshaft
- › Increases lubrication
- › Increases engine reliability



ANTI JUDDER CLUTCH

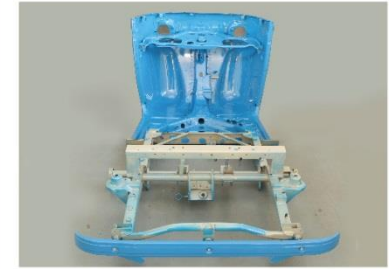
- New thrust ball bearing for clutch
- Redesigned rack and pinion
- › Smoother on-road performance
- › Minimal jerks during gear shift



REDESIGNED IMPROVED REVERSE GEAR MECHANISM

- Fixed end gear cable
- Stainless cable
- › Increased reliability of gear shifting cables

SAFETY



REINFORCED CHASSIS DESIGN

- Additional strengthening in several areas
- › Longer lasting chassis



REDESIGNED TURN INDICATORS & TAIL LAMPS

- Better looking and repositioned
- › Less prone to breakage



REDESIGNED CHASSIS MOUNTED BUMPER

- Stronger and longer bumper
- Bumper on the chassis
- › No damage to body in case of rear collision
- › Lower maintenance cost



UPRIGHT WINDSHIELD

- Single piece & angle changed
- Green tint included
- › Better visibility
- › Reduction in sunlight transmission

COMFORT & STYLE



REDESIGNED MUSCULAR SCUDO

- › Better road visibility



IMPROVED CABIN ERGONOMICS

- More knee clearance
- Better reach to handlebar
- › Reduced fatigue
- › No obstruction while turning



HOOD PIPE & WATER SPLASH GUARD

- › Allows more head room



REDESIGNED DRIVER CABIN FLOOR

- New brake pedal position
- › Reduces ankle strain & fatigue



LINEAR SIDE PROFILE AND BUCKET SEATS

- › Greater comfort for both driver and passenger



EXTRA EQUIPMENT

- Mobile charging point
- Car-like ignition
- Choke near steering
- Bottle holder



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BAJAJ RE 4S



WORLD'S LARGEST SELLING THREE WHEELER



BAJAJ RE 4S is the world's largest selling 3 wheeler is now in diesel. Bajaj RE 4S is the leading model for the RE portfolio. It's an ideal mix of practicality coupled with load ability. Its highly compact and easy to park, maneuver on the roads yet can carry three passengers and extra load without breaking a sweat.

 Blue



 Black



 Red



 GREEN



 YELLOW



 White

ENGINE



Type : Twin Spark, 2 Valve, 4 - stroke DTSi, Forced air cooled and Oil cooled

Displacement : 198.8 cc | Starting System : Electric Start and Starting handle

Max. Power : 8.1 Kw @ 5000 RPM | Max. Torque : 18.0 Nm @ 3500 RPM

Max Speed : 65 Kmph | Clutch : Wet Multi Plates+ Anti Judder - Hand operated

VEHICLE



Chassis Type : Monocoque chassis | Kerb Weight : 348 Kgs | Pay Load: 330 Kgs

Length x Width x Height : 2635 mm X 1300 mm X 1710 mm | Wheel Base : 2000 mm

Ground Clearance : 200 mm | Fuel Tank (Reserve / Usable) : 8 L (1.5 L Reserve)

Suspension Type : Spring type - Helical Coil Compression Shock absorber - Hydraulic

BRAKES & TYRES



Brake Type : Hydraulic Expanding Friction shoe type with TMC - Foot operated

Type - Front & Rear : 4.00 - 8, 6 PR

ELECTRICALS



System : 12 V DC | Battery : 12V, 32 Ah

Head Lamp : 35/35 W (HS-1) 2 Nos | Tail/Stop Lamp : 5/21 W

BAJAJ RE 4S



PERFORMANCE :

- ✓ ***Twin Spark 4 Stroke Engine***
- ✓ ***Digital Ignition with CDI***
- ✓ ***ExhausTEC***
- ✓ ***Electric Start***



Bajaj RE 4S comes with twin spark 4 stroke engine which leads to better pickup, drive ability and load bearing capacity. Best in Class mileage with improved 4 stroke DTSi Engine which gives better mileage and lesser maintenance costs.

BAJAJ RE 4S



SAFETY :

- ✓ **Rear bumper**
- ✓ **Muscular SKUDO Design**
- ✓ **Dual Headlamps**
- ✓ **Upright Windshield**
- ✓ **Flushed Tail Lamps**
- ✓ **Smart Turn Indicators**



Bajaj RE 4S is built to carry the driver and the commuter safely. It has a rigid chassis, strong and wide bumper to withstand impact. The Muscular SKUDO Design improves the durability of the vehicle. An upright windshield gives clear vision and improves visibility while riding. Dual Headlamps make night riding and turning in dark corners a safe experience. The excellent positioning of the smart indicators reduce their chance of breakage, especially in case of any collision from behind.

COMFORT :

- ✔ **Bucket Seats**
- ✔ **Linear Side Profile**
- ✔ **Improved Driver Cabin Ergonomics**
- ✔ **Designed Cabin**
- ✔ **Spacious Cabin Floor**



Bajaj RE 4S is extremely comfortable with bucket seats for both the driver and passenger. Bajaj RE 4S also comes with improved ergonomics which facilitate better reach to the handlebar, more knee clearance while making sure the rider feels no obstruction while turning corners. Its cabin offers added space for keeping a mobile charger, bottle holder as well as ample space to accommodate a glove box compartment. RE 4S comes with more cabin space that proves as to the driver. The brake pedal located closer to the floor reduces ankle fatigue. Its sealed floor board eliminates water seepage in the driver cabin during rains





**ENABLING
PROGRESS.
IMPROVING
LIVES.**



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ABERDEEN CITY COUNCIL

COMMITTEE	LICENSING COMMITTEE
DATE	6 FEBRUARY 2018
REPORT TITLE	KNOWLEDGE TEST CONSULTATION
REPORT NUMBER	GC/18/005
HEAD OF SERVICE	FRASER BELL
REPORT AUTHOR	SANDY MUNRO

1. PURPOSE OF REPORT:-

- 1.1 To inform the committee of the results of the consultation undertaken with the trade on the proposed procedural changes regarding the knowledge test for taxi and private hire drivers.

2. RECOMMENDATION(S)

- 2.1 The Committee is recommended to:

- 1) Note the responses received to the consultation exercise; and
- 2) Implement with immediate effect the proposed changes to the procedures for implementing the knowledge test for applicants for taxi and private hire driver's licences.
- 3) Make no changes to the content of the knowledge test at this time.

3. BACKGROUND/MAIN ISSUES

- 3.1 At the meeting held on 12 September 2017 the Licensing Committee instructed the Head of Legal and Democratic Services to consult with the trade on proposed changes to the procedures for administering the Knowledge Test for taxi and private hire driver's licences.
- 3.2 The consultation paper explaining the proposed changes and rationale for the new procedure was delivered by e-mail to all members of the Taxi and Private Hire Consultation Group on 19 December 2017. A copy of the consultation paper is attached as Appendix 1.
- 3.3 Currently all applicants for a taxi driver's licence or private hire driver's licence have 3 attempts to pass the Knowledge Test once an application for a licence has been submitted. As the Authority has a statutory time limit of 6 months in

which to determine an application this means that the applicant must pass the test within that 6 month period. This has proved challenging for a large number of applicants and has resulted in those applicants being referred to Committee for determination solely due to failure to pass the test within the required time period.

- 3.4 It is proposed to introduce a separate charge of £20 for the Knowledge Test and make it a requirement that an applicant has passed the test before an application for a licence can be submitted. This will remove the six month deadline for passing a test and applicants will be able to study at their own pace and apply for the test when they feel it is appropriate. It is hoped that the introduction of the separate charge will encourage applicants to only apply for the Test when they are confident in their ability to pass, which will have the effect of increasing standards. There will however be no limit on the number of times an applicant can apply for the Test. It will also mean that applicants no longer forfeit the application fee for a licence as a result of failure to pass the test.
- 3.5 It is considered that the proposed amendments to the procedures would result in a system which carries a greater degree of clarity for both applicants and officers, and would result in fewer applications requiring to be referred to Committee.
- 3.6 A number of queries were received from the trade and are attached as Appendix 2 with officers' responses marked in red. Otherwise there were no opinions proffered.
- 3.7 No opinions were received with regards the inclusion of sat-nav operation in the test. Officers remain of the opinion that this would not be practical as this equipment is not mandatory and it is not considered appropriate to include elements within the test that are not required to hold the licence.

4. FINANCIAL IMPLICATIONS

- 4.1 The introduction of a separate fee for the Knowledge Test may result in a new income stream. However income from application fees for the licences may be affected should potential applicants fail to pass the test and accordingly not submit an application.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report. Licensing Authorities are specifically entitled by the legislation to require potential applicants to pass a Knowledge Test and the only changes being proposed are the method of implementation.

6. MANAGEMENT OF RISK

6.1 Financial

There is a small risk that income from application fees may be affected should the amended procedures be put in place. This would be mitigated by the fresh income stream of the test fees as well as a reduction in officer time as a result of fewer referrals to Committee.

6.2 Employee

There is no direct risk arising from this report.

6.3 Customer/Citizen

There is no direct risk arising from this report.

6.4 Environmental

There is no direct risk arising from this report.

6.5 Technological

There is no direct risk arising from this report.

6.6 Legal

There is no direct risk arising from this report.

6.7 Reputational

There is a small risk that the introduction of an additional fee may be seen as income generation. This has been mitigated by a full explanation of the rationale in the consultation documents.

7. IMPACT SECTION

7.1 Economy

If introduced, the amended procedures will result in fewer applications requiring to be referred to Committee and will accordingly provide a saving in respect of officer time as well as Member time.

7.2 People

If introduced, the proposals will result in a greater degree of clarity for applicants. It is hoped that applicants will only apply for the test when they are confident of passing which will have the effect of raising the standard of applicant and resulting in a higher standard of service.

7.3 **Place**

The proposals are largely a procedural change so will have little effect but as previously stated it is hoped that, if introduced, the amended procedures will have the effect of raising standards of service in the area.

7.4 **Technology**

No direct impact from this report.

8. **BACKGROUND PAPERS**

CG/17/094 Update on Driver Training and Knowledge Test

9. **APPENDICES (if applicable)**

1. Consultation paper.
2. Responses to consultation exercise.

10. **REPORT AUTHOR DETAILS**

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CONSULTATION ON KNOWLEDGE TEST PROCEDURES

Aberdeen City Council are seeking comment on proposals to amend the process for applying for a taxi or private hire driver's licence.

As things currently stand applicants are entitled to three attempts at passing the Street Knowledge Test ("the Test") once an application for a licence has been submitted. As all applications require to be determined within six months this effectively imposes a six month time limit within which the Test must be passed. This has proved challenging for a number of applicants and has resulted in a substantial number of applications being referred to Committee solely as a result of the applicant having failed to pass the Test and the Committee generally have no option but to refuse those applications.

In an attempt to make the process more efficient and to provide a greater degree of certainty to applicants it has been proposed to amend the process by requiring the Test to be passed before an application for a licence can be submitted. In order to facilitate this a separate charge of £20 will be imposed for each attempt at the Test.

This will remove the six month deadline for passing a test and applicants will be able to study at their own pace and apply for the test when they feel it is appropriate. It is hoped that the introduction of the separate charge will encourage applicants to only apply for the Test when they are confident in their ability to pass, which will have the effect of increasing standards. There will however be no limit on the number of times an applicant can apply for the Test.

It is intended to make more information on the Test available on the Council's website in order to allow applicants to tailor their studies appropriately and it is hoped to include an example of a Test to inform applicants on the type of questions they will face.

At the meeting of 12 September 2017 the Licensing Committee instructed officers to consult with the trade on the proposals prior to any action being taken and also whether an element of proficient operation of a sat-nav device should be incorporated into the test. Accordingly if you have any comments please direct them to licensing@aberdeencity.gov.uk with the heading "Knowledge Test Consultation" before 31 January 2018.

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Knowledge Test Consultation Responses.

With regards to the proposed changes to the way in which a driver applies for a licence.

How would this affect those drivers licensed under the current regime? If a driver who is currently licensed by the authority is instructed that upon renewal application they must pass the taxi drivers street knowledge test within six months of that renewal application how would the authorities expect that they go about this from the date of any implementation of change? Would they still have that right to the six month period to pass the test?

The changes would only apply to new applicants. Current licence holders who have not yet sat the knowledge test would still require to do so on first renewal and would have the 6 month deadline from the submission of their renewal application to pass the test.

Furthermore does Aberdeen city council believe it to be legal to ask an applicant to pass a “test” before they apply for a licence?

Yes. The legislation provides for authorities to implement such a test, the only change proposed is the method of doing so. Other authorities such as Glasgow already operate in such a manner.

If so is there any examples of any other licensed activity governed by Aberdeen city council where you would be expected to pass a “test” before your licencing application would be considered?

Many licences require some form of certification as a pre-requisite to application. Most commonly these will be from other council departments such as planning, building control or environmental health. Perhaps the closest example to what is being proposed is the Personal Licence procedure in alcohol licensing which requires an external exam to be passed prior to application.

Would the “test” still be part of the fit and proper person assessment that an authority goes through when considering an application?

The fit and proper person test is a separate element to that of the knowledge test.

Was there any other material taking into consideration during the “consultation process”?

Unsure as to what this question means. The consultation process is to seek the opinion of the trade on the procedural changes proposed.

I look forward to your response.

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