

LEGAL AND DEMOCRATIC SERVICES

COMMITTEE DECISION SHEET

LICENSING COMMITTEE - TUESDAY, 5 JUNE 2018

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

	Item Title	Committee Decision	Services Required to take action	Officer to Action
1.1	<u>Urgent Business</u>	The Committee resolved: There were no items of urgent business.	N/A	
2.1	<u>Exempt Business</u>	The Committee resolved: There were no items of exempt business.	N/A	
3.1	<u>Confidential Business</u>	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.	N/A	
4.1	<u>Declarations of Interest</u>	The Committee resolved: The following declaration of interest was intimated at this time: (i) Councillor Malik declared an interest in relation to item 8.11 (Request for the Suspension of a Late Hours Catering Licence – Marco's, 12 Belmont Street), by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of this	N/A	

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		<p>item; and</p> <p>(ii) Councillor McRae declared an interest in relation to item 8.22 (Application for the Renewal of a Taxi Driver's Licence – Jamie Gibson), by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of this item</p>		
5.1	<u>Request by Mr Campbell, Unite, in relation to item 9.1 (Wheelchair Accessible Vehicle Taxi Policy Update)</u>	<u>The Committee resolved:</u> to note the deputation and that it would be heard immediately prior to consideration of item 9.1 (Wheelchair Accessible Vehicle Taxi Policy Update) on the agenda.	N/A	
5.2	<u>Request by Mr Cullen, in relation to item 9.1 (Wheelchair Accessible Vehicle Taxi Policy Update)</u>	<u>The Committee resolved:</u> to note that the request for deputation from Mr Cullen had been withdrawn.	N/A	
5.3	<u>Request by Mr McColl in relation to item 9.2 Taxi Fare Review)</u>	<u>The Committee resolved:</u> to note the deputation and that it would be heard immediately prior to consideration of item 9.2 (Taxi Fare Review) on the agenda.	N/A	
6.1	<u>Minute of Previous Meeting of 17 April 2018</u>	<u>The Committee resolved:</u> to approve the minute as a correct record.	Committee Services	A Swanson
6.2	<u>Minutes of the Meetings of the Licensing Sub Committee of 25 April, 2 and 21 May 2018 - for approval</u>	<u>The Committee resolved:</u> to approve the minutes as correct records.	Committee Services	A Swanson
6.3	<u>Committee Business Planner</u>	<u>The Committee resolved:</u> (i) to agree to remove item 6 (Development of Models for Civic	Committee Services	A Swanson

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		Leadership and Engagement) and to note that any future proposals would be presented to the appropriate Committee for consideration; and (ii) to otherwise note the committee business planner.		
7.1	<u>Landlord Registration</u>	The Committee resolved: to refuse the application for landlord registration.	HMO	A Thain/D Yeats
7.2	<u>Application for the Renewal of a Taxi Driver's Licence</u>	The Committee resolved: to grant the application.	Licensing	J Wilson/A Munro
7.3	<u>Request for Exemption from the Street Knowledge Test</u>	The Committee resolved: to refuse the request on the basis that the evidence to substantiate the statements made had not been submitted and to agree that should this evidence be presented the Committee would consider the request again.	Licensing	J Wilson/A Munro
7.4	<u>Application for the Renewal of a Private Hire Driver's Licence</u>	The Committee resolved: to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
7.5	<u>Application for the Renewal of a Taxi Driver's Licence</u>	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 Chief Officer - Governance could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Sub	Licensing	J Wilson/A Munro

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		Committee for consideration.		
7.6	<u>Application for the Renewal of a Taxi Driver's Licence</u>	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 Chief Officer - Governance could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Sub Committee for consideration.	Licensing	J Wilson/A Munro
7.7	<u>Application for the Renewal of a Taxi Driver's Licence</u>	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 Chief Officer - Governance could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Sub Committee for consideration.	Licensing	J Wilson/A Munro
7.8	<u>Request to be Exempt from the Requirement to provide a Wheelchair Accessible Vehicle</u>	The Committee resolved: to agree that the applicant be exempt from the requirement to provide a wheelchair accessible vehicle on the basis of the individual circumstances.	Licensing	J Wilson/A Munro
8.1	<u>Grant of a Licence for a House in Multiple Occupation - 71 Gardner Crescent, Aberdeen</u>	The Committee resolved: to note that the application for a licence had been withdrawn.	HMO	A Thain/D Yeats
8.2	<u>Renewal of a Licence for a House in Multiple Occupation - 12D Roslin</u>	The Committee resolved: to note that the licence had been granted	HMO	A Thain/D Yeats

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	<u>Street, Aberdeen</u>	under delegated powers.		
8.3	<u>Renewal of a Licence for a House in Multiple Occupation - 33A Balnagask Avenue, Aberdeen</u>	The Committee resolved: to note that the licence had been granted under delegated powers.	HMO	A Thain/D Yeats
8.4	<u>Renewal of a Licence for a House in Multiple Occupation - 216B Holburn Street, Aberdeen</u>	The Committee resolved: to note that the licence had been granted under delegated powers.	HMO	A Thain/D Yeats
8.5	<u>Renewal of a Licence for a House in Multiple Occupation - 14C Wellington Street, Aberdeen</u>	The Committee resolved: to note that the licence had been granted under delegated powers.	HMO	A Thain/D Yeats
8.6	<u>Grant of a Licence for a House in Multiple Occupation - 71 Constitution Street, Aberdeen</u>	The Committee resolved: to refuse the application for a licence.	HMO	A Thain/D Yeats
8.7	<u>Renewal of a Licence for a House in Multiple Occupation - 1 Abbotswell Drive, Aberdeen</u>	The Committee resolved: to note that the licence had been granted under delegated powers.	HMO	A Thain/D Yeats
8.8	<u>Grant of a Licence for a House in Multiple Occupation - 102 Clifton Road, Aberdeen</u>	The Committee resolved: to note that the licence had been granted under delegated powers.	HMO	A Thain/D Yeats
8.9	<u>Renewal of a Licence for a House in Multiple Occupation - 61 Leslie Road, Aberdeen</u>	The Committee resolved: to note that the objection had been withdrawn.	HMO	A Thain/D Yeats

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8.10	<u>Grant of a Licence for a House in Multiple Occupation - 61 Clifton Road, Aberdeen</u>	<u>The Committee resolved:</u> to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the licence under delegated powers if appropriate.	HMO	A Thain/D Yeats
8.11	<u>Request for Suspension of a Late Hours Catering Licence - Marco's, 12 Belmont Street</u>	<u>The Committee resolved:</u> to revoke the licence.	Licensing	J Wilson/A Munro
8.12	<u>Application for the Renewal of a Street Trader's Licence - Lisan Eryigit - Hareness Road</u>	<u>The Committee resolved:</u> to defer consideration of the application to allow a Certificate of Compliance to be received and to agree that should a certificate be received, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration.	Licensing	J Wilson/A Munro
8.13	<u>Application for the Renewal of a Street Trader's Licence - Lisan Eryigit - Craigshaw Crescent</u>	<u>The Committee resolved:</u> to defer consideration of the application to allow a Certificate of Compliance to be received and to agree that should a certificate be received, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration.	Licensing	J Wilson/A Munro
8.14	<u>Application for the Renewal of a Street Trader's Licence - Allan Strachan</u>	<u>The Committee resolved:</u> to defer consideration of the application to	Licensing	J Wilson/A Munro

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		allow a Certificate of Compliance to be received and to agree that should a certificate be received, 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.		
8.15	<u>Application for the Grant of a Second Hand Dealer's Licence - Deimatas Juscius</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro
8.16	<u>Application for the Grant of a Taxi Driver's Licence - Zoulfaghar Mollaeian</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro
8.17	<u>Application for the Grant of a Taxi Driver's Licence - Kathiravelu Manimaran</u>	<u>The Committee resolved:</u> to note that the application had been withdrawn.	Licensing	J Wilson/A Munro
8.18	<u>Application for the Grant of a Taxi Driver's Licence - Robert MackIntosh McKenzie</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro
8.19	<u>Application for the Grant of a Taxi Driver's Licence - Edward Donald</u>	<u>The Committee resolved:</u> to agree that the applicant be exempt from the requirement to undertake a street knowledge test on the basis of the individual circumstances.	Licensing	J Wilson/A Munro
8.20	<u>Application for the Grant of a Temporary Taxi Driver's Licence - William Duguid</u>	<u>The Committee resolved:</u> to grant the application and to agree that applicant's full licence application which was being processed did not require to be submitted to the Committee in respect of the	Licensing	J Wilson/A Munro

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		points on his licence.		
8.21	<u>Application for the Renewal of a Taxi Driver's Licence - Gordon Anderson</u>	<u>The Committee resolved:</u> to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.22	<u>Application for the Renewal of a Taxi Driver's Licence - Jamie Gibson</u>	<u>The Committee resolved:</u> to note that the application had been granted uner delegated powers.	Licensing	J Wilson/A Munro
8.23	<u>Application for the Renewal of a Taxi Driver's Licence - Brian Ogg</u>	<u>The Committee resolved:</u> to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.24	<u>Application for the Renewal of a Taxi Driver's Licence - Lee Webster</u>	<u>The Committee resolved:</u> to grant the application.	Licensing	J Wilson/A Munro
8.25	<u>Application for the Renewal of a Taxi Driver's Licence - Steven Marwick</u>	<u>The Committee resolved:</u> to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.26	<u>Application for the Grant of a Private Hire Car Driver's Licence - Jacek Guzowski</u>	<u>The Committee resolved:</u> to note that the application had been withdrawn.	Licensing	J Wilson/A Munro
8.27	<u>Application for the Renewal of a Private Hire Car Driver's Licence - Wayne Greig</u>	<u>The Committee resolved:</u> to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.28	<u>Application for the Grant of a Private Hire Car Driver's Licence - Reynaldo Santos</u>	<u>The Committee resolved:</u> to refuse the application.	Licensing	J Wilson/A Munro

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8.29	<u>Application for the Renewal of a Taxi Licence - Rainbow Cars Ltd (T813)</u>	The Committee resolved: to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.30	<u>Application for the Renewal of a Taxi Licence - Thomas Brebner</u>	The Committee resolved: to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.31	<u>Application for the Renewal of a Taxi Licence - Rainbow Cars Ltd (T855)</u>	The Committee resolved: to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.32	<u>Application for the Grant of a Private Hire Car Licence - Raymond William Christie</u>	The Committee resolved: to refuse the application.	Licensing	J Wilson/A Munro
8.33	<u>Application for the Renewal of a Private Hire Car Licence - Adam Marciniak</u>	The Committee resolved: to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
8.34	<u>Application for the Renewal of a Private Hire Car Licence - Lee Parker</u>	The Committee resolved: to note that the application had been granted under delegated powers.	Licensing	J Wilson/A Munro
9.1	<u>Wheelchair Accessible Vehicle Taxi Policy Update</u>	The Committee resolved: (i) agree recommendation 2.1 as contained in the report; (ii) instruct the Chief Officer Governance to change the implementation date of the existing policy to June 2023; (iii) recognise that in compliance with The Equality Act 2010 that all taxi user	Licensing	F Bell/J Wilson/A Munro

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		<p>requirements should be considered and instructs the Chief Officer Governance:</p> <p>(1) to prepare a report with suitable mixed fleet policy options for the split which would address all customer needs whether they are a wheelchair user, visually impaired or have other mobility requirements or other relevant disability;</p> <p>(2) to submit the aforementioned options to the Licensing Committee meeting by <u>June 2022</u> for consideration, noting that subject to the approval in principle of the options a full consultation as outlined in section 4.2 of the report would be undertaken and the outcome reported back to the Committee;</p> <p>(iv) further recognise that in 1994 when new applications for taxi licences were required to be wheelchair accessible vehicles an exemption was allowed for existing licence holders, at that time, to retain a non-accessible vehicle and even licence a further non-accessible vehicle on renewal of the licence or replacement of such vehicle and to agree that this exemption should remain meantime and instructs the Chief Officer Governance to incorporate this exemption as an</p>		

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		option within the proposed mixed fleet policy <u>options</u> to be submitted to Committee by June 2022.		
9.2	<u>Taxi Fare Review</u>	<p><u>The Committee resolved:</u></p> <ul style="list-style-type: none"> (i) consider the report and any representations made by members of the taxi trade and the public to the consultation (Appendix 3); (ii) agree that the option to increase the current basic tariff by 5% by amending the first 940 yard to £2.50 instead of 950 yard at £2.52 and for each additional 258 yards to 30p be advertised as the proposed scales for the taxi fare review in terms of section 17 of the Civic Government (Scotland) Act 1982; (iii) instruct Chief Officer-Governance to amend the fare card at surcharge 5 to reflect the holiday dates for 2019 and 2020; (iv) instruct the Chief Officer of Governance to advertise the proposed scales agreed in a newspaper circulating in its area for at least one month together with the general effect of the proposed scales and the date when it is proposed that they will take effect; and (v) to amend the previous decision of 17 April 2018 and to instruct the Chief Officer Governance to submit a report to the special meeting of the Licensing Committee on 9 July 2018 on the outcome of the consultation on the 	Licensing	F Bell/J Wilson/K Gatherum

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		proposed scales and seeking a final decision on the future taxi fare levels to be adopted from 22 July 2018.		

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