

Public Document Pack



To: Councillor Reynolds, Convener; Councillor Malik, Vice Convener; and Councillors Allan, Bell, Delaney, Henrickson, Radley, Sellar and Townson.

Town House,
ABERDEEN 22 June 2021

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in **Council Chamber - Town House** on **TUESDAY, 29 JUNE 2021 at 10.00 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

NOTIFICATION OF URGENT BUSINESS

- 1 Urgent Business

DETERMINATION OF EXEMPT BUSINESS

- 2.1 Exempt Business

CONFIDENTIAL BUSINESS

- 3.1 Confidential Business

DECLARATIONS OF INTEREST

- 4.1 Declarations of Interest (Pages 5 - 6)

DEPUTATIONS

5.1 Deputations

MINUTES, COMMITTEE BUSINESS PLANNER AND REFERRALS

6.1 Minute of Previous Meeting of 18 May 2021 (Pages 7 - 14)

6.2 Committee Business Planner (Pages 15 - 16)

6.3 Referral from the Taxi and Private Hire Car Consultation Group (Pages 17 - 18)

APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

7.1 Renewal of a Licence for a House in Multiple Occupation - 55 Spital
(Pages 23 - 26)

7.2 Renewal of a Licence for a House in Multiple Occupation - 8 Cheyne Road
(Pages 27 - 28)

7.3 Renewal of a Licence for a House in Multiple Occupation - Flat D, 47
Bedford Avenue (Pages 29 - 30)

7.4 New Licence for a House in Multiple Occupation - Flat A, 1 Castle Terrace
(Pages 31 - 34)

7.5 New Licence for a House in Multiple Occupation - Flat B, 1 Castle Terrace
(Pages 35 - 38)

7.6 New Licence for a House in Multiple Occupation - Flat C, 1 Castle Terrace
(Pages 39 - 42)

7.7 New Licence for a House in Multiple Occupation - Flat D, 1 Castle Terrace
(Pages 43 - 46)

7.8 New Licence for a House in Multiple Occupation - Flat E, 1 Castle Terrace
(Pages 47 - 50)

7.9 Renewal of a Street Trader (Employer) Licence - Lisan Eryigit - Craigshaw
Crescent, Aberdeen, 50m North of Craigshaw Drive (Pages 51 - 62)

7.10 Grant of a Street Trader (Employer) Licence - Maciej Jaworski - Various
Sites (Pages 63 - 68)

- 7.11 Renewal of a Tattoo Licence - Alston Sella - Shazink Tattoo Studio (Pages 69 - 72)
- 7.12 Review of a Street Trader Licence - Gaynor Barrie - Cafe on the Kerb (Pages 73 - 92)

COMMITTEE REPORTS

- 8.1 Committee Reports

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.

- 9.1 Renewal of a Taxi Driver Licence (Pages 95 - 96)

Should you require any further information about this agenda, please contact Mark Masson, tel 01224 522989 or email mmasson@aberdeencity.gov.uk

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DECLARATIONS OF INTEREST

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.

LICENSING COMMITTEE

ABERDEEN, 18 May 2021. Minute of meeting of the LICENSING COMMITTEE.
Present: Councillor Reynolds, Convener; Councillor Malik, Vice Convener; and Councillors Allan, Bell, Henrickson, Radley, Sellar, Townson and Yuill (as substitute for Councillor Delaney).

The agenda and reports associated with this minute can be found [here](#).

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.

DECLARATIONS OF INTEREST

1. There were no declarations of interest intimated.

MINUTE OF PREVIOUS MEETING OF 16 MARCH 2021

2. The Committee had before it the minute of its meeting of 16 March 2021 for approval.

The Committee resolved:-

to approve the minute as a correct record.

MINUTE OF MEETING OF THE LICENSING SUB COMMITTEE OF 7 APRIL 2021

3. The Committee had before it the minute of meeting of the Licensing Sub Committee of 7 April 2021, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

4. The Committee had before it the Committee Business Planner as prepared by the Chief Officer – Governance.

The Committee resolved:-

to note the committee business planner.

LICENSING COMMITTEE

18 May 2021

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 386D KING STREET

5. With reference to article 6 of the minute of the previous meeting of 16 March 2021, the Committee had before it a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of representation had been submitted.

Mr Thain, Private Sector Housing Manager advised that he had recently received 16 photographs of the property, including the bathroom that the applicant wished to submit into proceedings.

The Committee resolved:-
to accept the photographs into proceedings.

The applicant, Mr Ka Wai Cheng, was in attendance and spoke in support of the application and responded to questions from members of the Committee.

The respondent, Mr Edward Robinson was in attendance and spoke in support of the letter of representation and responded to questions from members of the Committee.

Both parties summed up.

The Committee resolved:-
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.

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 627 KING STREET

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

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 77-79 BON ACCORD STREET

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

LICENSING COMMITTEE

18 May 2021

TAXI - REQUEST FOR EXEMPTION FROM AGE OF VEHICLE POLICY - MATTHEW CHYLA

8. The Committee had before it an information sheet prepared by the Chief Officer – Governance, which advised that the applicant was seeking an exemption to the current Committee Policy which stated that any saloon vehicle to be licensed as a taxi or private hire car must be no older than 5 years old from the date of registration.

The applicant, Matthew Chyla was in attendance and spoke in support of his request and answered questions from members of the Committee.

The Committee resolved:-

to reject the request for exemption from Age of Vehicle Policy.

GRANT OF A STREET TRADER LICENCE - NUM OWEN

9. The Committee had before it an information sheet prepared by the Chief Officer – Governance, which advised that the application required to be determined by 13 July 2021 and that officers had yet to receive the Certificate of Compliance in relation to food hygiene.

The Committee resolved:-

to defer consideration of the application until Environmental Health have undertaken an inspection for the Certificate of Compliance, after which time the Chief Officer - Governance could grant the licence under delegated powers if appropriate.

GRANT OF A STREET TRADER LICENCE - ABERDEEN BIKE VENDING LTD

10. The Committee had before it an information sheet prepared by the Chief Officer – Governance, which advised that the application required to be determined by 24 January 2022 and that three letters of representation had been received.

The information sheet indicated that the application was for the following locations - Monday to Sunday (10.00 – 20.00 hrs):-

- (1) Beach Esplanade, East Side 50m South of Beach Boulevard;
- (2) Beach Esplanade, East Side 825m South East of King Street;
- (3) Seaton Park, Car park, East Side;
- (4) Seaton Park, 305m North of St Machars Cathedral;
- (5) George Street, East Side, 50m North of Loch Street;
- (6) Westburn Park, Grass Area, 37m South of The Pavilion;
- (7) Victoria Park, North Western Corner, 20m East of Entrance; and
- (8) Beach Esplanade, East Side 150m South of Links Road.

The applicants, Dimitrov and Dimitar Nikolaev, were in attendance and spoke in support of their application and responded to questions from members of the Committee.

LICENSING COMMITTEE
18 May 2021

None of the respondents were in attendance.

The Committee resolved:-

to grant the licence.

GRANT OF A STREET TRADER LICENCE - JBG CATERING

11. The Committee had before it an information sheet prepared by the Chief Officer – Governance, which advised that the application required to be determined by 2 February 2022; and that letters of representation had been received from Aberdeen City Council's Roads and Parks Teams, Cove and Altens Community Council and 15 members of the public.

The information sheet indicated that the application was for the following locations - Monday to Sunday (11.00 – 23.00 hrs):-

- (1) Bervie Brow Car Park (East) North Side, 10m West of Marchmont Street;
- (2) Doonies Farm Car Park, North Side 200m North of Doonies Farm;
- (3) Coast Road, Easy Side, Layby North End, 120m North East of Burnbank Village entrance;
- (4) Wellington Circle Northern Spur, East side, 25m North of Wellington House carpark entrance; and
- (5) Wellington Road (Old), Northerly End, West side, 75m North of Entry/Exit to Wellington Road

The applicant, Jean Baptiste Pose, was in attendance, spoke in support of his application and responded to questions from members of the Committee.

Ms Vycki Ritson, Roads Team was in attendance.

No other respondents were in attendance.

The Committee resolved:-

to grant the licence for the following locations and that trading be Monday to Sunday (16:00 – 21.00 hrs):-

- (1) Bervie Brow Car Park (East) North Side, 10m West of Marchmont Street; and
- (2) Wellington Circle Northern Spur, East side, 25m North of Wellington House carpark entrance.

APPLICATION FOR CHANGES TO THE CITY CENTRE TAXI RANKS - COM/21/064

12. With reference to article 9 of the minute of meeting of the Licensing Committee of 19 January 2021, the Committee had before it a report by the Director of Resources which provided details on the outcome of the formal consultation on the proposal to make

LICENSING COMMITTEE
18 May 2021

changes to taxi ranks due to current access restrictions on city centre streets through the Spaces for People programme.

The report recommended:-

that the Committee –

- (a) note the responses received to the formal consultation, on the proposal for changes to taxi ranks in the city centre, in terms of Section 19 of the Civic Government (Scotland) Act 1982; and
- (b) agree to make the changes as detailed:-
 - (1) Full Time Ranks – Suspension
 - Hadden Street: Westbound feeder rank 7 No. stances – as shown in Appendix A; and
 - Back Wynd: Southbound rank 15 No. stances – as shown in Appendix B;
 - (2) Full Time Ranks – Appointment - which will operate 24 hours per day, 7 days a week:-
 - Exchange Street: Northbound 7 No. stances - as shown in Appendix C;
 - Rosemount Viaduct: Eastbound 12 No. stances – as shown in Appendix D;
 - Exchequer Row/Shiprow: Northbound 10 No. stances – as shown in Appendix E;
 - Union Row Southbound 4 No. stances – as shown in Appendix F; and
 - Justice Mill Lane Westbound 3 No. stances – as shown in Appendix G.

The Committee resolved:-

to approve the recommendations.

TAXI AND PRIVATE HIRE POLICY REVIEW CONSULTATION RESPONSES - COM/21/114

13. With reference to article 16 of the minute of meeting of the Licensing Committee of 10 November 2020, the Committee had before it a report by the Chief Officer – Governance, which outlined the results of the public consultation on the proposed changes to the Taxi and Private Hire Policies.

The report recommended:-

that the Committee –

- (a) note the results of the consultation exercise detailed in Appendices 1, 2 and 3 of the report;
- (b) approve in principle the amendments to policy; and
- (c) instruct the Chief Officer – Governance to report back to the Committee on 31 August 2021 with proposed policies for approval.

The Committee resolved:-

LICENSING COMMITTEE

18 May 2021

- (i) to approve recommendations (a) and (c); and
- (ii) to approve in principle the amendments to policy, with the exception of the proposal to abolish the Council's existing zoning in relation to the airport, which would remain status quo.

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.

RENEWAL OF A TAXI DRIVER LICENCE (AGENDA ITEM 9.1)

14. The Committee had before it an information note prepared by the Chief Officer – Governance which advised that the application had to be determined by 18 May 2021.

The licence holder was not in attendance, nor represented.

The Committee resolved:-

to refuse the renewal of the licence.

RENEWAL OF A TAXI DRIVER LICENCE (AGENDA ITEM 9.2)

15. The Committee had before it (1) an information note prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 6 March 2022; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 23 March 2021.

The licence holder was in attendance and spoke in support of the application.

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

Sergeant Flett and the applicant both summed up.

The Committee resolved:-

to grant the renewal of the licence.

RENEWAL OF A TAXI DRIVER LICENCE (AGENDA ITEM 9.3)

LICENSING COMMITTEE

18 May 2021

16. The Committee had before it an information note prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 14 June 2021.

The licence holder was not in attendance, nor represented.

The Committee resolved:-

to refuse the renewal of the licence.

PARAGRAPH 11 SUSPENSION (AGENDA ITEM 9.4)

17. The Committee had before it (1) an information note prepared by the Chief Officer – Governance which advised that a request had been received by Police Scotland for the suspension of a Taxi Driver Licence and a Taxi Operator Licence held by the licence holder in terms of paragraphs 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 (“the Schedule”); and (2) a letter from the Chief Superintendent, Police Scotland, North East Division dated 16 April 2021.

Sergeant Flett was in attendance on behalf of Police Scotland and spoke in support of the letter.

The licence holder and his representative Ms Sian Fish were in attendance, and his representative spoke in response to the request for suspension of the licences and in support of the licence holder.

Sergeant Flett and the Licence holder’s agent both summed up.

The Committee resolved:-

to suspend the licence holder for the unexpired portion of both the Taxi Driver Licence and Taxi Operator Licence.

GRANT OF A STREET TRADER LICENCE (AGENDA ITEM 9.5)

18. The Committee had before it (1) an information note prepared by the Chief Officer – Governance in respect of the application; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division, dated 10 March 2021.

Mr Sandy Munro, Legal Adviser, Aberdeen City Council advised that there had been an error in the information note circulated with the agenda pack, he explained that the application had been submitted in February 2021 and not May 2019.

The licence holder was in attendance and spoke in support of his application. Sergeant Flett was in attendance and spoke in support of Police Scotland’s letter of representation.

LICENSING COMMITTEE
18 May 2021

Sergeant Flett and the applicant both summed up.

The Committee resolved:-

to grant the licence.

- **COUNCILLOR JOHN REYNOLDS, Convener**

	A	B	C	D	E	F	G	H	I
1	LICENSING COMMITTEE BUSINESS PLANNER The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference Number	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3			29 June 2021						
4	No reports scheduled at this time.								
5			31 August 2021						
6	Taxi and Private Hire Policy Review	The Licensing Committee on 18/5/21 agreed to instruct the Chief Officer – Governance to report back to the Committee on 31 August 2021 with proposed policies for approval.		Sandy Munro	Governance	Commissioning	17		
7			26 October 2021						
8	No reports scheduled at this time.								
9			14 December 2021						
10	Annual Committee Effectiveness Report	To present the Annual Effectiveness report for the Committee.		Mark Masson	Governance	Commissioning	GD 8.5		
11			TBC						
12	Taxi Driver Training	Licensing Committee 19/2/19 agreed to instruct the Chief Officer – Governance to continue to investigate training programmes for taxi and private hire drivers and report back to the Committee in this regard as and when appropriate.		Sandy Munro	Governance	Governance	3		

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TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP - 22 JUNE 2021

TAXI RANKS

4. The Consultation Group had before them a paper submitted by Russell McLeod, Rainbow Cars relating to Taxi Ranks, specifically the need to identify extra rank space, which would serve the public and taxi drivers.

In his paper, Russell explained that at present there was not a rank to service Marischal Square, although, last year this option was looked at, but with the ongoing work at both Greyfriars Church and at McKay's, it was not a realistic option. He indicated that these works were now complete and it would be beneficial to the public, to have a taxi rank with 8 to 10 spaces located on the south side of Queen Street, from the junction with Broad Street. He advised that this would make it more visual for anyone at Marischal Square, or on Broad Street. He intimated that there was a kerb drop for access to parking at the Town House, however this could be left clear and Queen Street was now almost a dead area of town, therefore Taxis could access from the south side of Broad Street, turn right into Queen Street, use the current turning circle and join the rank at the appropriate place. He also made reference to the rank that had been created on Exchequer Row, which required improved signing and made known to taxi drivers and the public.

During discussion, the Group noted:-

- that the Transport Operators and Users Group had been replaced by the newly established Accessible City Transport Users Partnership (ACTUP), a new group set-up to discuss transport projects within the city, and would include updates on Spaces for People interventions. Officers would ensure that one, or possibly two taxi representatives would be invited to attend ACTUP, and the Public Transport Users Group which is now in place specifically for the current Spaces for People measures;
- that following the last Licensing Committee meeting, additional directional signage for taxi ranks had been instructed, although they had yet to be received and installed in the city centre;
- that the taxi trade and members of the public were unaware of the location of the current temporary taxi ranks; and
- that a report was being considered by the City Growth and Resources Committee on 24 June 2021 relating to the Spaces for People interventions.

Ross Stevenson, Engineer, Operations and Protective Services indicated that information on the on the temporary taxi rank plan (restrictions in the city centre) had been published and distributed to the taxi trade.

Sandy Munro, Legal Adviser outlined the legal process for establishing a new taxi rank and responded to questions from members of the Group.

The Consultation Group resolved:-

- (i) to note that officers would install temporary taxi rank signage at Shiprow;
- (ii) to note the concerns of the taxi trade in terms of the current taxi rank measures in place in the city centre; and
- (iii) to recommend to the Licensing Committee, at their next meeting to commence the process of installing a taxi rank on Queen Street.

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Application	Name of Applicant & Agent	Premises of which application refers	Representations received	Date by which application to be determined (date order)	Proposed Meeting to Determine Application	Page Number
HMO Application (Renewal)	Susan McGowan + Capital Letters	55 Spital, Aberdeen	HMO Team, Private Sector Housing Unit MARC	10 August 2021	29 June 2021	23-26
HMO Application (Renewal)	Marjorie Hewitt	8 Cheyne Road, Aberdeen	HMO Team, Private Sector Housing Unit MARC	23 August 2021	29 June 2021	27-28
HMO Application (Renewal)	John Anderson	Flat D, 47 Bedford Avenue, Aberdeen	HMO Team, Private Sector Housing Unit STUART	23 August 2021	29 June 2021	29-30
HMO Application (New)	Hamilton Residential Limited + Letts & Co	Flat A, 1 Castle Terrace, Aberdeen	HMO Team, Private Sector Housing Unit MARC	29 August 2021	29 June 2021	31-34
HMO Application (New)	Hamilton Residential Limited + Letts & Co	Flat B, 1 Castle Terrace, Aberdeen	HMO Team, Private Sector Housing Unit MARC	29 August 2021	29 June 2021	35-38
HMO Application (New)	Hamilton Residential Limited + Letts & Co	Flat C, 1 Castle Terrace, Aberdeen	HMO Team, Private Sector Housing Unit MARC	29 August 2021	29 June 2021	39-42

Application	Name of Applicant & Agent	Premises of which application refers	Representations received	Date by which application to be determined (date order)	Proposed Meeting to Determine Application	Page Number
HMO Application (New)	Hamilton Residential Limited + Letts & Co	Flat D, 1 Castle Terrace, Aberdeen	HMO Team, Private Sector Housing Unit MARC	29 August 2021	29 June 2021	43-46
HMO Application (New)	Hamilton Residential Limited + Letts & Co	Flat E, 1 Castle Terrace, Aberdeen	HMO Team, Private Sector Housing Unit MARC	29 August 2021	29 June 2021	47-50
Street Trader Employer (Renewal)	Lisan Eryigit	Craigshaw Crescent, Aberdeen, 50m North of Craigshaw Drive	Public Objection x2	30 October 2021+ 6 months	29 June 2021	51-62
Street Trader Employer (Gant)	Maciej Jaworski	1. Regent Walk, North side 40m West of golf Road 2. Brieffield Road, West side 15m North of Cornhill Drive 3. Auchinyell Road, South Side 46m East of Gaitside Terrace 4. Riverside Drive, East side 266m North of Stonehaven Road 5. WITHDRAWN	Roads Objection to Sites 2 and 3 Councillor Representation to Site 7	22 September 2021+6 months	29 June 2021	63-68

Application	Name of Applicant & Agent	Premises of which application refers	Representations received	Date by which application to be determined (date order)	Proposed Meeting to Determine Application	Page Number
		6. Seaton Crescent East side 105m North of School Road 7. Balnagask Road Spur, South Side 50m East of Farquahr Avenue 8. Westburn Park, Access Road East side 140m North of Westburn Road				
Tattoo Licence (Renewal)	Alsion Sella	Shazink Tattoo Studio, Ashvale Place, AB10 6PX	EH	16 July 2021	29 June 2021	69-72
Street Trader Licence Review	Gaynor Barrie/ Café on the Kerb	Whitehills Close, North Side, 44m West of Langdykes Avenue	Public Objection X3			73-92

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LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: SUSAN MCGOWAN

ADDRESS: 55 SPITAL, ABERDEEN

AGENT: CAPITAL LETTERS

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 29 June 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 29 June 2021. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The premises at No.55 Spital, Aberdeen, is an upper-floor maisonette flat providing accommodation of 4 letting bedrooms (one en-suite), one public room, one kitchen & one bathroom. The applicant has requested an occupancy of 4 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDS FOR REFUSAL

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

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and her registration includes No.55 Spital.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.55 Spital.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All faulty or missing lightbulbs to be replaced immediately.
 - 2) An IP44 light-fitting to be installed in the bathroom to replace the existing light-fitting.
 - 3) At the time of inspection there was no electricity supply as a result of the coin meter showing debt. The electrical supply must be reinstated to allow all electrical systems to be tested.
 - 4) There is evidence of rainwater penetration at the rear of the flat. The source of the penetration to be investigated and the necessary internal and external repairs to be carried out immediately.
 - 5) All self-closing doors to be inspected and adjusted as necessary to ensure that they fully close against their stops from all angles of swing.
 - 6) All windows to be inspected and adjusted as necessary to ensure that they open and close securely.

- 7) An upstand must be formed between the kitchen worktops and adjacent walls, then the upstand to be sealed.
- 8) The uneven flooring on the second-floor landing to be repaired as necessary.
- 9) There is evidence of mould throughout the flat. All affected areas to be treated with anti-fungicidal wash then painted with anti-fungicidal paint then finally redecorated.
- 10) The existing lounge furniture, which is covered in mould, must be replaced.
- 11) The flat to be redecorated as necessary.
- 12) SFRS were advised that the fire detection system was inoperable at the time of inspection, also that a smoke seal on one of the bedroom doors was loose.
- 13) The following documentation to be submitted to the HMO Unit for inspection:
 - Notice of HMO Application – Certificate of Compliance
 - Gas Safe certificate
 - Electrical Installation Condition Report (EICR)
 - Portable Appliance Test (PAT) certificate
 - Copy of the Tenancy agreement that will be used

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LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: MARJORIE HEWITT

ADDRESS: 8 CHEYNE ROAD, ABERDEEN

AGENT: NONE STATED

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the HMO Officer has yet to carry out an initial inspection of the premises to determine whether any upgrading work & certification is required. In this regard, extensive attempts have been made to contact the applicant to arrange the initial inspection, all without success. The meeting of the Licensing Committee on 29 June 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the Committee are minded to refuse the application, they must do so at the meeting on 29 June 2021. I will advise the Committee accordingly.

DESCRIPTION

The premises at No.8 Cheyne Road, Aberdeen, is a detached two-storey house providing accommodation of 5 public rooms, 5 letting bedrooms (all en-suite), one bathroom, one kitchen & one shower-room. The applicant has requested an occupancy of 5 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDS FOR REFUSAL

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

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and her registration includes No.8 Cheyne Road.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.8 Cheyne Road.

LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: JOHN ANDERSON

ADDRESS: FLAT D, 47 BEDFORD AVENUE, ABERDEEN

AGENT: NONE STATED

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 29 June 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 29 June 2021. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The premises at No.47D Bedford Avenue, Aberdeen, is a first-floor flat providing accommodation of 3 letting bedrooms, one public room, one kitchen areas & one shower-room. The applicant has requested an occupancy of 3 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDINGS FOR REFUSAL

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

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and his registration includes No.47D Bedford Avenue.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.47D Bedford Avenue.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) The following documentation to be submitted to the HMO Unit for inspection:
 - Notice of HMO Application – Certificate of Compliance
 - Gas Safe certificate
 - Electrical Installation Condition Report (EICR)
 - Portable Appliance Test (PAT) certificate
 - Copy of the Tenancy agreement that will be used

LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: HAMILTON RESIDENTIAL LIMITED

ADDRESS: FLAT A, 1 CASTLE TERRACE, ABERDEEN

AGENT: LETTS & CO. PROPERTIES LIMITED

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 29 June 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 29 June 2021. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The premises at No.1A Castle Terrace, Aberdeen, is a ground-floor flat providing accommodation of 3 letting bedrooms, open plan lounge/kitchen and bathroom. The applicant has requested an occupancy of 5 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDS FOR REFUSAL

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

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and whilst their registration includes an extensive property portfolio, it does not include No.1A Castle Terrace at this time. It will therefore be necessary for the applicant to add the property to their registration prior to letting it.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.1A Castle Terrace.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All faulty or missing lightbulbs to be replaced immediately.
 - 2) Additional electrical sockets to be installed throughout the flat.
 - 3) CO detectors to be installed in rooms which contain gas appliances and flues from gas appliances.
 - 4) All self-closing doors to be inspected and adjusted as necessary to ensure that they fully close against their stops from all angles of swing. Particular attention to be paid to the doors to letting bedrooms Nos.1 & 2.
 - 5) If the letting bedroom doors are to be fitted with locks, the locks must be of a type that can be opened from the inside without the use of a key. The same applies to the flat entrance door.

- 6) All windows to be inspected and adjusted as necessary to ensure that they open and close securely. Particular attention to be paid to the windows in letting bedroom Nos.1 & 2.
- 7) The window in letting bedroom No.3 to be fitted with a remote operating mechanism.
- 8) The broken bath panel and damaged floor in the bathroom to be repaired/replaced as necessary.
- 9) The following documentation to be submitted to the HMO Unit for inspection:
 - Notice of HMO Application – Certificate of Compliance
 - Gas Safe certificate
 - Electrical Installation Condition Report (EICR)
 - Portable Appliance Test (PAT) certificate
 - Copy of the Tenancy agreement that will be used

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LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: HAMILTON RESIDENTIAL LIMITED

ADDRESS: FLAT B, 1 CASTLE TERRACE, ABERDEEN

AGENT: LETTS & CO. PROPERTIES LIMITED

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 29 June 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 29 June 2021. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The premises at No.1B Castle Terrace, Aberdeen, is a first-floor flat providing accommodation of 3 letting bedrooms, one public room, one kitchen & one bathroom. The applicant has requested an occupancy of 5 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDS FOR REFUSAL

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

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and whilst their registration includes an extensive property portfolio, it does not include No.1B Castle Terrace at this time. It will therefore be necessary for the applicant to add the property to their registration prior to letting it.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.1B Castle Terrace.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All faulty or missing lightbulbs to be replaced immediately.
 - 2) Additional electrical sockets to be installed throughout the flat.
 - 3) CO detectors to be installed in rooms which contain gas appliances and flues from gas appliances.
 - 4) All self-closing doors to be inspected and adjusted as necessary to ensure that they fully close against their stops from all angles of swing. Particular attention to be paid to the kitchen door.
 - 5) If the letting bedroom doors are to be fitted with locks, the locks must be of a type that can be opened from the inside without the use of a key. The same applies to the flat entrance door.

- 6) All windows to be inspected and adjusted as necessary to ensure that they open and close securely. Particular attention to be paid to the windows in the lounge and letting bedroom Nos.3.
- 7) The bedroom furniture to be relocated from letting bedroom No.1 to letting bedroom No.2.
- 8) The following documentation to be submitted to the HMO Unit for inspection:
 - Notice of HMO Application – Certificate of Compliance
 - Gas Safe certificate
 - Electrical Installation Condition Report (EICR)
 - Portable Appliance Test (PAT) certificate
 - Copy of the Tenancy agreement that will be used

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LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: HAMILTON RESIDENTIAL LIMITED

ADDRESS: FLAT C, 1 CASTLE TERRACE, ABERDEEN

AGENT: LETTS & CO. PROPERTIES LIMITED

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 29 June 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 29 June 2021. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The premises at No.1C Castle Terrace, Aberdeen, is a second-floor flat providing accommodation of 3 letting bedrooms, one public room, one kitchen & one bathroom. The applicant has requested an occupancy of 5 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDS FOR REFUSAL

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

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and whilst their registration includes an extensive property portfolio, it does not include No.1C Castle Terrace at this time. It will therefore be necessary for the applicant to add the property to their registration prior to letting it.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.1C Castle Terrace.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All faulty or missing lightbulbs to be replaced immediately.
 - 2) Additional electrical sockets to be installed throughout the flat.
 - 3) CO detectors to be installed in rooms which contain gas appliances and flues from gas appliances.
 - 4) All self-closing doors to be inspected and adjusted as necessary to ensure that they fully close against their stops from all angles of swing. Particular attention to be paid to the door to letting bedroom Nos.1.
 - 5) If the letting bedroom doors are to be fitted with locks, the locks must be of a type that can be opened from the inside without the use of a key. The same applies to the flat entrance door.

- 6) All windows to be inspected and adjusted as necessary to ensure that they open and close securely. Particular attention to be paid to the windows in the lounge and letting bedroom Nos.1.
- 7) The bathroom floor to be replaced.
- 8) The following documentation to be submitted to the HMO Unit for inspection:
 - Notice of HMO Application – Certificate of Compliance
 - Gas Safe certificate
 - Electrical Installation Condition Report (EICR)
 - Portable Appliance Test (PAT) certificate
 - Copy of the Tenancy agreement that will be used

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LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: HAMILTON RESIDENTIAL LIMITED

ADDRESS: FLAT D, 1 CASTLE TERRACE, ABERDEEN

AGENT: LETTS & CO. PROPERTIES LIMITED

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 29 June 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 29 June 2021. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The premises at No.1D Castle Terrace, Aberdeen, is a third-floor flat providing accommodation of 3 letting bedrooms, one public room, one kitchen & one bathroom. The applicant has requested an occupancy of 5 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDS FOR REFUSAL

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

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and whilst their registration includes an extensive property portfolio, it does not include No.1D Castle Terrace at this time. It will therefore be necessary for the applicant to add the property to their registration prior to letting it.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.1D Castle Terrace.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All faulty or missing lightbulbs to be replaced immediately.
 - 2) Additional electrical sockets to be installed throughout the flat.
 - 3) CO detectors to be installed in rooms which contain gas appliances and flues from gas appliances.
 - 4) All self-closing doors to be inspected and adjusted as necessary to ensure that they fully close against their stops from all angles of swing. Particular attention to be paid to the doors to the kitchen and letting bedrooms Nos.1 & 2.
 - 5) If the letting bedroom doors are to be fitted with locks, the locks must be of a type that can be opened from the inside without the use of a key. The same applies to the flat entrance door.

- 6) All windows to be inspected and adjusted as necessary to ensure that they open and close securely. Particular attention to be paid to the windows in the lounge and letting bedroom Nos.3.
- 7) The sliding wardrobe doors in letting bedroom No.3 to be rehung on their tracks.
- 8) The following documentation to be submitted to the HMO Unit for inspection:
 - Notice of HMO Application – Certificate of Compliance
 - Gas Safe certificate
 - Electrical Installation Condition Report (EICR)
 - Portable Appliance Test (PAT) certificate
 - Copy of the Tenancy agreement that will be used

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LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: HAMILTON RESIDENTIAL LIMITED

ADDRESS: FLAT E, 1 CASTLE TERRACE, ABERDEEN

AGENT: LETTS & CO. PROPERTIES LIMITED

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 29 June 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 29 June 2021. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The premises at No.1E Castle Terrace, Aberdeen, is a top-floor flat providing accommodation of 3 letting bedrooms, open-plan lounge/kitchen & one bathroom. The applicant has requested an occupancy of 5 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDS FOR REFUSAL

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

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and whilst their registration includes an extensive property portfolio, it does not include No.1E Castle Terrace at this time. It will therefore be necessary for the applicant to add the property to their registration prior to letting it.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.1E Castle Terrace.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All faulty or missing lightbulbs to be replaced immediately.
 - 2) Additional electrical sockets to be installed throughout the flat.
 - 3) CO detectors to be installed in rooms which contain gas appliances and flues from gas appliances.
 - 4) All self-closing doors to be inspected and adjusted as necessary to ensure that they fully close against their stops from all angles of swing.
 - 5) If the letting bedroom doors are to be fitted with locks, the locks must be of a type that can be opened from the inside without the use of a key. The same applies to the flat entrance door.
 - 6) All windows to be inspected and adjusted as necessary to ensure that they open and close securely.

7) The following documentation to be submitted to the HMO Unit for inspection:

- Notice of HMO Application – Certificate of Compliance
- Gas Safe certificate
- Electrical Installation Condition Report (EICR)
- Portable Appliance Test (PAT) certificate
- Copy of the Tenancy agreement that will be used

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LICENSING COMMITTEE INFORMATION SHEET

29 JUNE 2021

APPLICATION FOR THE RENEWAL OF STREET TRADER LICENCE

LICENCE HOLDER: LISAN ERYIGIT - CRAIGSHAW CRESCENT, 50M NORTH OF
CRAIGSHAW DRIVE

DESCRIPTION

- The application requires to be determined by 30/10/21

CONSULTEES

- Police Scotland
- Environmental Health
- Roads

OBJECTIONS/REPRESENTATIONS

- Member of the Public x2
- Environmental Health

COMMITTEE GUIDELINES/POLICY

N/A

GROUNDINGS FOR REFUSAL

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

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

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

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

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

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

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

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

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

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

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

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

and otherwise shall grant the application.

Our Ref. 11864/JMH Your Ref.
Contact Justine Morrough
Email Commercial@aberdeencity.gov.uk
Direct Dial 01224 523815

28th May 2021

Mr Lisan Eryigit

Sent by e-mail:

FAO: Mr Lisan Eryigit (FBO/Owner)

Re: Food Hygiene Complaint Investigation & Follow up visit

Food Safety Act 1990

The Food Hygiene (Scotland) Regulations 2006

Regulation (EC) 852/2004 on the Hygiene of Foodstuffs

Food Information (Scotland) Regulations 2014

Health and Safety at Work etc. Act 1974

The Workplace (Health, Safety and Welfare) Regulations 1992

Gas Safety (Installation and Use) Regulations 1998

Provision and Use of Work Equipment Regulations 1998

**Premises: Nazar Snack Bar, 8 Craighshaw Cres, West Tullos Industrial Estate,
Aberdeen AB12 3AW**

Dear Mr Eryigit,

Following a visit to the premises above on 27th May to investigate a food hygiene complaint, myself and my eho colleague, Guri Singh noted a number of cleaning and hygiene issues during our visit that was discussed with you. The main issues included the cleanliness of the inside of the van located at the above address and we noted a few structural issues and repairs required to the van which were also discussed with you during our visit, these issues included the following;

1. The area under the griddle pan (located at front of van) was thick with grease and requires a thorough cleaning with degreaser.
2. The control knobs of the griddle pan contained grease on the surface handles and requires thorough cleaning with degreaser and sanitiser also.

3. The floor area under griddle pan and under sink area requires a good cleaning as at the time of visit, there was some grease and dirt in these areas including corner junctions of the floor and back stainless steel wall also.
4. The surfaces of cooking equipment and gas appliances, i.e. griddle pan and deep fat fryer had grease on their surfaces and require a thorough cleaning.
5. There were a number of used and dirty cloths and scouring sponges accumulated near wash hand basin that had not been disposed of accordingly and could be a source of contamination in the van. This was discussed with you during our visit.
6. We noted a number of touch points, i.e. handles and control knobs to gas appliance units contained grease on their surface which require cleaning as they were sticky when touched.
7. The shelving in the refrigeration unit requires cleaning as there were some stains on shelving noted during our visit.
8. There were a number of miscellaneous waste outside the van which need to be removed off site, i.e. broken chair and table and the waste receptacle bin was full of waste which had not been emptied. This was discussed with you during our visit.
9. There were a few structural issues also noted and observed during our visit, these included;
 - There was some controls knobs missing from the griddle/burger pan at the front of van which need to be replaced for the effective controlling and functioning of this appliance. We noted 2 broken/missing control knobs which need to be repaired and replaced accordingly for this appliance unit in the van.
 - The current vent and fan above the deep fat fryer is not suitable and requires repair, there is a missing cover to the fan, however, the fan is too small for this area and it was advised during our visit that a bigger and more suitable ventilation and extraction unit is required for the van and for the area above the fryer for effectively extracting and removing any cooking odours from this area.

Please see attached an image of a suitable Ventilation Extraction unit required for your van.

It was advised to you during our visit that the areas including storage units and equipment noted for cleaning above require to be cleaned using an effective cleaning agent, i.e. a sanitiser that contains the *BS EN1276* code for the effective cleaning of food and equipment surfaces, storage areas including shelving and wall/floor junctions of the van.

It was discussed with you that a follow up visit will be carried out in two weeks time to check that all issues noted above, i.e. hygiene and structural issues have been actioned off and addressed accordingly.

Employers/persons in control of premises, have also a duty to ensure that all gas appliances are regularly maintained in accordance with the manufacturers' recommendations, with copies of the maintenance reports being kept at the

premises. You must be able to demonstrate that your appliances are appropriately maintained by having current/valid maintenance service/inspection records.

Please forward a valid maintenance service record for gas appliance to the following email address; JMorrrough@aberdeencity.gov.uk

This is an annual gas safety inspection check carried out by a registered gas safety engineer to ensure that any gas appliances in use on the premises/van are in safe working order and do not pose a health & safety risk/hazard.

If you require further clarification on the contents of this letter, please do not hesitate to contact me at the above email address and I would be happy to discuss with you in more detail.

Thanks

Kind Regards

Justine Morrrough

Environmental Health Officer
Protective Services
Aberdeen City Council

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Dear Sir/Madam

I am submitting an objection for the renewal of Nazar Snack Bar Craigshaw Crescent Street trader license. I am objecting on the basis he is not a fit person to be serving the public and his van is sub-standard. Myself and my drivers have witnessed this. He gave 2 of my drivers who had gone for lunch food poisoning. In addition to this I went for a bacon roll a morning, it was hot the sweat was pouring off him onto the bacon and the griddle.

Many Thanks

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To whom it may concern

I am submitting an objection for the renewal of street traders license for Lisan Eryigit of Nazar Snack Bar situated in Craigshaw Crescent West Tullos industrial estate. I am objecting on the basis that he is a his van does not meet criteria set for a food outlet for these reasons - no proper extraction above fryer, floor is rotten, no designated prep area for cooked meat and raw meat, No separate fridges for raw meat and cooked meat the fridges don't even work. No certification for gas or food hygiene which I believe his original license was granted unfairly as no certificates in place. On a review of his Facebook page you will see he stores raw chicken in containers on his workspace which is adjacent to his griddle where heat will cause bacterial growth.

In addition to all my outline points this is not a legitimate tax paying business as told to us by lisan himself. I believe he has for some time been dodging the system I.e council tax included. In addition to this he has moved to Turriff back in November which I will also attached the post. He took over a kebab shop called Pittas and left Aberdeen.

Kind Regards,

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LICENSING COMMITTEE INFORMATION SHEET

29 JUNE 2021

APPLICATION FOR THE GRANT OF STREET TRADER LICENCE

LICENCE HOLDER: MACIEJ JAWORSKI

DESCRIPTION

- Application submitted: 03/02/2021
- Determination Date: 02/02/2022

Location:

1.Regent Walk, North side 40m West of golf Road

2. Brieffield Road, West side 15m North of Cornhill Drive

3. Auchinyell Road, South Side 46m East of Gaitside Terrace

4. Riverside Drive, East side 266m North of Stonehaven Road

5. WITHDRAWN

6. Seaton Crescent , East side 105m North of School Road

7. Balnagask Road Spur, South Side 50m East of Farquahr Avenue

8. Westburn Park, Access Road East side 140m North of Westburn Road

Monday - Sunday

11.00 – 18.00 hrs

Food prepared in the catering Trailer.

CONSULTEES

- Police Scotland
- Environmental Health
- Roads
- Parks

OBJECTIONS/REPRESENTATIONS

- Roads- sites 2 and 3
- Councillor- Site 7

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COMMITTEE GUIDELINES/POLICY

N/A

GROUNDINGS FOR REFUSAL

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

- (a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—
 - (i) for the time being disqualified from holding a licence, or
 - (ii) not a fit and proper person to be the holder of the licence;
- (b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;
- (c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—
 - (i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;
 - (ii) the nature and extent of the proposed activity;
 - (iii) the kind of persons likely to be in the premises, vehicle or vessel;
 - (iv) the possibility of undue public nuisance; or
 - (v) public order or public safety; or
- (d) there is other good reason for refusing the application;

and otherwise shall grant the application.

Hello Gillian,

Thanks for clarifying this. The location mentioned on Breirfield Road is within a pedestrian area with no vehicular access. There would be no approval given to use this area.

Kind regards,

Vycki

Good afternoon,

With regards to the locations, I have the following comments.

1. Acceptable
2. This is taken to be the area outside 41-55 Breirfield Terrace which is within Housing remit.
3. This location is within a Controlled Parking Zone with access for Permit Holders only Monday to Friday 10am-4pm.
4. The proposed location is at the top of steps leading up from the riverside walks. There is no footway extending from this site and a van at this location would block the dropped kerb. Parking at the other side of the street would be less obstructive.
5. The proposed location on Whitemyres Avenue can be seen on Streetview and aerial view to as having a van on site already. It is noted that the existing van parks onto the footway which is not acceptable. It is directly opposite an access to car sales centre and a site visit will be required to establish whether there are access issues at this site which have led to the previous occupants parking style.
6. No site visit has been carried out but Streetview suggests that parking is generally on the west side of the road. I would suggest that the van is parked in line with other vehicles to avoid conflict and loss of parking for residents.
7. Acceptable
8. Not with adopted road area so I cannot comment on the acceptability of option.

Kind regards,

Vycki

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Hi

I am not keen on the Balnagask road site. This is a busy road and this is a narrow spur. The road will get bussier with harbour development.

Seems a lot of sites requested for 1 van

Stay Well

Yvonne Allan

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LICENSING COMMITTEE INFORMATION SHEET

29 JUNE 2021

APPLICATION FOR THE RENEWAL OF A TATTOO LICENCE

LICENCE HOLDER: ALSION SELLA, SHAZINK TATTOO STUDIO, ASHVALE PLACE

DESCRIPTION

The application requires to be determined by 16/07/2021

CONSULTEES

- Police Scotland
- Environmental Health

OBJECTIONS/REPRESENTATIONS

Legal – Environmental Health have not been able to provide a clear response as of 17/06/21

COMMITTEE GUIDELINES/POLICY

N/A

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.

Email from Andrew Gilchrist 28/06/21- Courtney is still waiting for answers to various technical issues.

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LICENSING COMMITTEE INFORMATION SHEET

29 JUNE 2021

REVIEW OF STREET TRADER LICENCE

LICENCE HOLDER: GAYNOR BARRIE/ CAFE ON THE KERB

DESCRIPTION

Application granted on 27 May 2021 for Whitehills Close, North Side, 44m West of Langdykes Avenue 7 days a week 0700 to 1700

Since the granting of the licence we have subsequently received 3 complaints attached herein.

GROUNDS FOR REVIEW

A licensing authority may order the suspension [or revocation] of a licence if in their opinion—

(a)the holder of the licence or, where the holder is not a natural person, any director of it or partner in it or any other person responsible for its management, is not or is no longer a fit and proper person to hold the licence;

(b)the activity to which the licence relates is being managed by or carried on for the benefit of a person, other than the licence holder, who would have been refused the grant or renewal of the licence under paragraph 5(3) above;

(c)the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or public safety;

(d)a condition of the licence has been contravened.

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REPORT

Enforcement Officer

To	Licensing Committee
From	David McKane
Date	16/06/2021

Report of Site Visit

On the 10/06/2021 I visited Whitehills Close, the location of a Street Trader (Hot Food) which has been the subject of complaints from local residents.

The street is small and only part of it has been adopted by ACC (where the trader is located).

On the side of the street where the trader is located, there is no pavement and there were several cars parked, though none were for customers of the trader. More than half of that side of the street is taken up by a grass area which is not ACC land and is owned by the residents.

This is where any queue for the traders unit would be located. Therefore any queue would be on private land without land owner permission, and would likely cause damage over time to the grass area which is maintained at cost, by the residents through a factor.

The other side of the street (on the adopted part) is entirely given over to houses, whose front face directly on to the street. There is a pavement on the adopted section outside the houses.

It would not seem reasonable for any trader to be located on this side of the street.

The traders unit is small and I was not able to detect any noise from the generator, even at a few meters distant, nor was there any smell of cooking from the unit.

David McKane
Enforcement Officer

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Cafe' on the kerb

Posted by Gaynor Barrie

Yesterday at 06:50 · 🌐

Good morning I'm still having concerns from
1 or 2 local residents

I wouldn't post on social media but I feel I'm best
having this topic publicly open especially to my local
customers of Cove because the opinion of the
community is my greatest concern

The main complaints are

1. The traffic concerns in whitehills close since the van
opened (parking)
2. The academy children's safety crossing to get to
the van
3. The grass in front of the van now being utilised by
my customers and not being left for children in the
area to play on
4. My school term menu attracting children from the
academy
5. The noise of my petrol generator

These are the main issues being reported to the
council and I will be in a meeting with them over the
next couple of weeks but your input is important as I
did not open my van to upset locals quite the opposite
I opened to give something to the community which I
felt we lacked in cove

As always Thankyou for your continued support
everyone not only Cove but obviously these
complaints concern locals

Sounds like it's just more excuses for them to have a moan. How old are these children going to Lochside? Surely they are old enough to have learned the green cross code on how to cross roads safely by now? They even have a designated crossing there for them. Crossing over to go to your van, is no different than them crossing to go to Sainsburys. I don't get the harrie carrie because Burger King are even closer to the school. Are the parents going to complain about them selling burgers and fries? Kids this age have agency to make informed choices about what they choose to eat at lunchtime. Chin up and don't let a couple of people ruin a good thing

It's a public road, people can park there for whatever reason takes their fancy. To visit the van, to park for work etc.

there are two pelican crossings the kids can, and do, use. They've been using them to go to Sainsbury's every lunch time since the school opened.

"grass not being left for local kids to play on".... seriously? I don't recall ever seeing kids "playing" on that grass! There are dedicated parks within Charleston, and there is plenty of space

The council gave you a permit there, so it's not really anyone's business. They are worried about children losing a play space/ noise when said piece of grass is on a busy, noisy main road?

Just ignore them! I'm sure the council will. Your van looks lovely. Xx

1. The traffic on whitehills Close is the same as it was before you opened up!
2. The academy kids cross the road every day to to go to Sainsbury before you opened up, there are pedestrian crossings at the traffic lights, so not an issue.
3. I've lived here for 7 years and never seen a child yet play on the grass in front of your van.
4. Why wouldn't you do a school term menu, bet the kids are really appreciative of it.

Don't get it really you were further up the hill until the moaners moaned now your closer to them some people should be careful what they wish for it could be a fish and chip van that's open till 11 at night

Let's get real kids cross anyway

No ones going to let there kid play by a dual carriageway

As for noise it's only open from 8am till 3 pm I'm pretty sure that's acceptable and probably drowned out by the dual carriageway anyway

As for people parking to use van , they were parking there before anyway

And if people are dangerous parking then that's not cos of the van it's cos there are no yellow lines and they are

We live two seconds away can see you from our front garden. We came yesterday for lunch. Noise doesn't bother us. The kids go to sainsburys for lunch any ways I wouldn't say it's gotten any busier since you opened. That bit of grass I have lived here since the house was built kids only played there a handful of times! My

Kids cross for sainsburys anyway so the van ain't making a difference there!! School term menu attracting children, well they have another option for lunch and have the right to eat from a van! Grass being used by customers instead of kids, well if it's public grass then anyone can use it, different it was their garden! Sounds like people just making issues/looking for any excuse to have a gripe! Shame really coz I don't see the harm 🙄

Like others have said the kids are going to Sainsbury's anyway. I am quite sure the kids have enough road sense to cross a road that also has a few safety crossings. Sick of people moaning about something good in the community.

Ridiculous. Cafe on the kerb is a huge asset to Cove. You'd think people of Cove would appreciate it. Well most of us do.

I would be really concerned if children were using that area of grass to play in as it is so close to a a busy main road? Also know there is lots of parks nearby for them to play on as well as there own gardens. Van is Brilliant, I visited with a young person who has additional needs and sensory processing issues. He had no issues

Seriously?? What is wrong with some people in this area, moan moan moan. What is so wrong with someone just trying to set up their own business to serve the local community, giving residents and school children another option for something to eat other than school meals or shopping in Sainsburys. I thought the whole concept, especially throughout covid, was to shop and support local?

Oh no totally it looks like it's just a few who like to moan. It would be nice for these folks to raise their concerns directly with you to see how it can be resolved rather than just going straight to the council. Sounds like you're doing a great job so I'd just keep doing what you're doing and ask anyone with concerns to contact you directly. 99% of the community definitely seem to be behind you 🤞 🤞

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Complaint 1

My burger van looks across onto the public footpath and grass and not into any windows of neighbouring houses.

The van does not use any green belt land it sits on a public road owned by the council

I know nothing about threatening behaviour

I was approached by a gentleman on Thursday 3rd of June as I opened the van my husband is witness to this as he helps with my generator

the man apologised and said he had been very hot headed with my son the afternoon before and he'd like me to pass on his apologies (this is an incident I did not report as a new business I chose to ignore it but on returning to my van the day before with my clean dishes there were 6 whole buns scattered at it's doorway attracting seagulls these were not mine and I took a photograph of them before disposing of them there was also a dark greasy substance at the vans back door) unknown to me my son went up to check on the van later and this gentleman and him had words the gentleman said " that van won't be here much longer trust me " at the end of that apology the man in question shook hands with my husband and myself and said " I will keep an eye on your van I'm not looking to spoil your business I used to run a burger van myself"

This man lives in the closest house to my van I've had no problems at all since .

The social media page in question is for the local people of cove and the only post removed (which I did not respond to at all but I have copies of)is that of [a local resident –name removed] who lives in the Close because [a local resident –name removed] who also lives in the Close was becoming quite slanderous toward the business

I do not know either of these ladies

[a local resident –name removed] - introduced herself on my first morning and I showed her my e mail from James Gibb (Phil Blackadder)

Wishing me every success with my new venture .

I also showed her my license etc and she left there was no argument whatsoever between us .

My generator is petrol not diesel I decided on this because it is less noisy

I have asked the correct department to come out and check I'm not breaking noise control laws

My license covers me 7am - 5pm 7 days

I only have my generator on mon - fri 7.30 - 2.30pm and sat 8-12 I don't think this is unreasonable

There is no " Private " car park there are allocated numbered spaces which none of my customers would use as the majority of them walk to my van and on saying that neither do the residents as these spaces are at their back door and they prefer to park on Langdykes at their front doors

I have no idea why my van has made the communal grass unsafe for children to play and no idea what the resident means by feeling humiliated and being left with no privacy

I have no idea why my van has made any resident feel like a prisoner in their own home the ownership of the road was already discussed hence why I moved 26ft

As for a site visit I think this is definitely what is required in order to clear my name from this nonsense

My van is licensed and was done so legally by the council and if there was a legal obligation to inform individual home owners of this then that's something they should bring up with the council my license should not be in jeopardy because of any negligence on the councils part

I'm confused as to the affect my van is having on these children infact I find it quite disturbing to be accused of such nonsense

I also don't agree on the resident suggesting new sites for my van to the council that is absolutely none of his business

Complaint 2:

It has been made quite obvious the 2 residents out of a whole street have serious issues with staff cars from the garages parking legally on whitehills close this is of no concern to me and shouldn't even be part of this complaint it is completely irrelevant to my license.

I probably serve 4-6 children from the academy daily as most of them choose Sainsbury's for lunches which is further from my van these children have always crossed the road at a lunch time to get to the nearest shop

My term time menu was basically a menu made slightly more affordable to children at school These children go to school in an industrial estate they all live in cove at the opposite side of the road therefore cross it in order to get to school I will not be accused of putting them at risk by using my van

again an unhappy resident of whitehills close before my van arrived suggesting new locations for it

Complaint 3:

My generator is petrol not diesel and I am in agreement in fact I have asked noise levels by law for my working hrs be checked by the appropriate department

My van was moved to the position given to me by the council which I was told belongs to them

I am not trading on green belt land

I'm confused as to why my customers might have an accident on the grass that my van looks into but I am covered for public liability should my van be the cause of any harm to my customers.

I think I have covered all matters raised and would like a site visit before the 29th of June if possible In order to clarify these fabricated complaints

I'd also like the licensing committee to have a copy of this as well as my video and I'd like any problems in the street before my van arrived shown to the committee as I feel I'm being subject to bullying by 2 of these 3 residents and that it is nothing to do with my van and more to do with their request to have double yellow lines painted

Please also note every other resident uses my van and has praised its service to the community

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