

## LICENSING COMMITTEE

ABERDEEN, 14 December 2021. Minute of meeting of the LICENSING COMMITTEE. Present: Councillor Reynolds, Convener; Councillor Malik, Vice Convener; and Councillors Allan, Bell, Delaney, Henrickson, Radley, Sellar and Townson.

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 26 OCTOBER 2021

2. The Committee had before it the minute of its previous meeting of 26 October 2021 for approval.

**The Committee resolved:-**  
to approve the minute.

### COMMITTEE BUSINESS PLANNER

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

**The Committee resolved:-**

- (i) to note that a report relating to the 'Review of Taxi Ranks' would be added to the Business Planner; and
- (ii) to otherwise note the content of the Planner.

### REQUEST FOR AN EXEMPTION OF A LATE HOURS CATERING LICENCE - MORRISONS PETROL FILLING STATION, WEST NORTH STREET

4. The Committee had before it an information sheet prepared by the Chief Officer – Governance, which advised that the applicant was seeking an exemption under Section 42(5) Civic Government (Scotland) Act 1982 from requiring a Late Hours Catering Licence during the hours 23:00 to 00:00 from 20 December 2021 to 23 December 2021 inclusive.

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The Committee heard Ms Karen Gatherum provide details of a statement of support submitted by the applicant's agent.

The applicant was not in attendance, nor represented.

**The Committee resolved:-**

to approve the exemption request.

### LICENSING COMMITTEE ANNUAL EFFECTIVENESS REPORT - COM/21/318

5. The Committee had before it a report by the Chief Officer - Governance which presented the annual report of the Licensing Committee to enable Members to provide comment on the data contained within.

**The report recommended:-**

that the Committee –

- (a) provide comments and observations on the data contained within the annual report; and
- (b) note the annual report of the Licensing Committee.

**The Committee resolved:-**

to note the annual report of the Licensing Committee.

### QUEEN STREET TAXI RANK PROPOSAL - COM/21/323

6. With reference to article 4 of the minute of meeting of 29 June 2021, the Committee had before it a report by the Chief Officer – Governance which provided the results of the consultation with Police Scotland, Aberdeen City Council Roads Department and the general public.

**The report recommended:-**

that the Committee –

- (a) consider the Consultation responses in Appendices 1 and 2;
- (b) reject the proposal for a taxi rank at Queen Street as unsuitable at present; and
- (c) incorporate the question of a further taxi rank in this area into the overall review of taxi ranks instructed by the Committee at its meeting on 26 October 2021.

**The Committee resolved:-**

- (i) to note the consultation responses in Appendices 1 and 2;
- (ii) to approve recommendation (b) above;
- (iii) to instruct the Chief Officer – Governance to undertake a further consultation exercise for the provision of a taxi rank (2 spaces) on the North Side of Queen Street; and
- (iv) to instruct the Chief Officer – Governance in consultation with the Roads Team to investigate options in relation to the provision of a taxi rank in the

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Upperkirkgate area of the City and that a report in this regard be submitted to a future meeting of the Committee.

### **SEXUAL ENTERTAINMENT VENUE LICENSING - COM/21/324**

7. With reference to article 3 of the minute of meeting of 29 September 2021, the Committee had before it a report by the Chief Officer – Governance which provided details of the policy statement for Sexual Entertainment Venues, together with information gathered from the public consultation for consideration and approval.

#### **The report recommended:-**

that the Committee –

- (a) consider the consultation responses in Appendix 1;
- (b) approve the draft Policy Statement in Appendix 2;
- (c) agree the terms of the Guidance Note for Applicants at Appendix 3; and
- (d) approve the fee structure contained in paragraph 3.5

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

- (i) to note the consultation responses in Appendix 1;
- (ii) to approve the draft Policy Statement in Appendix 2, (1) confirming that the appropriate upper limit number of venues for the City Centre Locality would be six; and (2) to include details relating to a consent register; and
- (iii) to approve recommendations (c) and (d) above.

### **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'S LICENCE (AGENDA ITEM 9.1)**

8. The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance, which advised that the application required to be determined by 17 June 2022; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 20 October 2021.

The licence holder was not in attendance, nor represented.

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

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

- (i) to grant the licence; and

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- (ii) to instruct the Chief Officer – Governance in consultation with the Convener to write to the licence holder, expressing the Committee’s concerns in relation to the recent prosecution.

### **REQUEST FOR THE SUSPENSION OR REVOCATION OF A TAXI DRIVER'S LICENCE UNDER PARAGRAPH 11 (AGENDA ITEM 9.2)**

9. The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance, which advised that a request had been received under Paragraph 11, Schedule 1 of the Civic Government (Scotland) Act 1982 for the suspension or revocation of a Taxi Driver’s licence; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division dated 17 November 2021.

Sergeant Flett spoke in support of Police Scotland’s letter.

The licence holder responded to the details circulated in the letter.

Sergeant Flett and the Licence holder both summed up.

**The Committee resolved:-**

to suspend the licence.

The Convener then sought the views of both parties in relation to the appropriate length of suspension.

**The Committee resolved:-**

to suspend the licence for a period of eighteen months with immediate effect.

### **RENEWAL OF A TAXI DRIVER'S LICENCE (AGENDA ITEM 9.3)**

10. The Committee had before it an information note prepared by the Chief Officer – Governance which advised that the application had to be determined by 7 January 2022.

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

**The Committee resolved:-**

to defer consideration of the application to allow a medical report to be received and to agree that should a clear medical report be received, the Chief Officer - Governance could grant the licence under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Sub Committee to be held on 6 January 2022.

### **REQUEST FOR AN EXEMPTION FROM THE WHEELCHAIR ACCESSIBLE VEHICLE POLICY (AGENDA ITEM 9.4)**

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11. The Committee had before it (1) 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 new grant application for a taxi must be for a Wheelchair Accessible Vehicle; and (2) an email from the applicant indicating the grounds under which he was seeking the exemption.

The applicant was in attendance and spoke in support of his request.

**The Committee resolved:-**

to approve the exemption request.

**REQUEST FOR AN EXEMPTION FROM THE AGE OF VEHICLE POLICY (AGENDA ITEM 9.5)**

12. The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance, which advised that the applicant was seeking an exemption to the Committee Policy that stated that the vehicle for any new grant application for a Private Hire must be no more than 5 years old; and (2) an email from the applicant indicating the grounds on which he was seeking the exemption.

The applicant was not in attendance, not represented.

**The Committee resolved:-**

to defer consideration of the request until the next meeting of the Committee.

- **COUNCILLOR JOHN REYNOLDS, Convener**