

Public Document Pack



To: Councillor Al-Samarai, Convener; Councillor Delaney, Vice-Convener; and Councillors Boulton, Clark, Cormie, Crockett, Farquhar, Henrickson, MacGregor, Malik, McLeod, Tissera and van Sweeden.

Town House,
ABERDEEN 28 June 2022

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in **Council Chamber - Town House** on **TUESDAY, 5 JULY 2022 at 10.00 am**. This is a hybrid meeting and Members may also attend remotely.

The meeting will be webcast and a live stream can be viewed on the Council's website. <https://aberdeen.public-i.tv/core/portal/home>

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

NOTIFICATION OF URGENT BUSINESS

1.1. Urgent Business

DETERMINATION OF EXEMPT BUSINESS

2.1. Exempt Business

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

3.1. Declarations of Interest and Transparency Statements

DEPUTATIONS

- 4.1. Deputations

MINUTES AND COMMITTEE BUSINESS PLANNER

- 5.1. Minute of Previous Meeting of 22 March 2022, for Approval (Pages 5 - 14)
- 5.2. Committee Business Planner (Pages 15 - 16)

NOTICES OF MOTION

- 6.1. Notices of Motion

REFERRALS FROM COUNCIL, COMMITTEES AND SUB COMMITTEES

- 7.1. Referrals from Council, Committees or Sub Committees

APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

- 8.1. New Licence for a House In Multiple Occupation - 35 St Machar Drive
(Pages 21 - 28)
- 8.2. Renewal of a Licence for a House in Multiple Occupation - 118 Crown Street
(Pages 29 - 32)
- 8.3. Request for Exemption from Age of Vehicle Policy - Lee Johnston (Pages
33 - 36)
- 8.4. Request for Exemption from Age of Vehicle Policy - Tula Miah (Pages 37 -
40)
- 8.5. Request for Exemption from Age of Vehicle Policy - Darren Matthew (Pages
41 - 44)
- 8.6. Request for Exemption from Age of Vehicle Policy - Matthew Chyla (Pages
45 - 46)
- 8.7. Request for Exemption from Age of Vehicle Policy - Huseyin Polat (Pages
47 - 50)

- 8.8. Request for Exemption from Age of Vehicle Policy and Wheelchair Accessible Vehicle Policy - Stanley Noble and Chris Winpenny (Pages 51 - 54)
- 8.9. Renewal of a Taxi Licence - Christopher Sedgwick (Pages 55 - 56)
- 8.10. Sexual Entertainment Venue Licence - Licholding Ltd, Silhouette, 48 Bridge Street (Pages 57 - 62)
- 8.11. Sexual Entertainment Venue Licence - TGC Leisure Ltd, Private Eyes, 70 Chapel Street (Pages 63 - 66)
- 8.12. Sexual Entertainment Venue Licence - TGC Leisure Ltd, Private Eyes 2, 30 Bridge Street (Pages 67 - 70)
- 8.13. Sexual Entertainment Venue Licence - Devana Investments Limited, Buggy Browns, 7 Windmill Brae (Pages 71 - 74)
- 8.14. Sexual Entertainment Venue Licence - New Progress Limited, The Mask above Magma, 52 Bridge Street (Pages 75 - 80)
- 8.15. Sexual Entertainment Venue Licence - Punch Partnership Ltd, c/o TLT LLP, Number 7, 7 Crown Street (Pages 81 - 86)
- 8.16. Sexual Entertainment Venue Licence - Gloryever Limited, House of Ginza, 21 Crown Terrace (Pages 87 - 102)

COMMITTEE REPORTS

- 9.1. Appointment of Members to Licensing Sub-Committee and Taxi and Private Hire Car Consultation Group - COM/22/093 (Pages 103 - 106)
- 9.2. Back Wynd Taxi Rank Proposal - COM/22/088 (Pages 107 - 124)
- 9.3. Street Knowledge Test - COM/22/147 (Pages 125 - 130)

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.

- 10.1. Request for Suspension or Revocation (Paragraph 11) of a Taxi Driver Licence (Pages 133 - 138)
- 10.2. Renewal of a Taxi Driver Licence (Pages 139 - 142)
- 10.3. Request for Exemption from the Street Knowledge Test (Pages 143 - 146)

EHRIAs related to reports on this agenda can be viewed [here](#)

To access the Service Updates for this Committee please click [here](#)

Website Address: aberdeencity.gov.uk

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

LICENSING COMMITTEE

ABERDEEN, 22 March 2022. Minute of Meeting of the LICENSING COMMITTEE .
Present:- Councillor Reynolds, Convener; Councillor Malik, Vice-Convener; and Councillors Allan, Al-Samarai (as substitute for Councillor Radley), Bell, Delaney, Henrickson, 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 AND TRANSPARENCY STATEMENTS

1. There were no declarations of interest or transparency statements intimated at this stage in the proceedings.

MINUTE OF PREVIOUS MEETING OF 18 JANUARY 2022, FOR APPROVAL

2. The Committee had before it the minute of its previous meeting of 18 January 2022, for approval.

The Committee resolved:-
to approve the minute.

MINUTE OF MEETING OF TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP OF 3 MARCH 2022

3. The Committee had before it the minute of meeting of the Taxi and Private Hire Car Consultation Group of 3 March 2022, for approval.

The Committee resolved:-

- (i) to agree to amend the membership of the Taxi and Private Hire Consultation Group to have representation from three 'Independent Drivers' and to invite those three members who expressed an interest to join the group;
- (ii) to note that consideration of incorporating the Queen's Platinum Jubilee Bank Holiday as a public holiday in respect of the taxi tariff, with a view to the taxi trade charging an additional £1 for each journey fare would be discussed at item 9.3 (Taxi Fare Review 2022) on the agenda (article 18 of this minute refers);
- (iii) to note that arrangements have been made to undertake the Taxi Tariff Meters change at the Airport; and
- (iv) to otherwise approve the minute.

LICENSING COMMITTEE

22 March 2022

COMMITTEE BUSINESS PLANNER

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

The Committee resolved:-

- (i) to note the reason outlined in the planner for the delay to item 5 (Review of the Street Knowledge Test); and
- (ii) to otherwise note the planner.

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 123A SPITAL

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

NEW LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 179 SKENE 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 - 1 ABBOTSWELL DRIVE

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

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 92D KING STREET

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

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - FLAT C, 14 WELLINGTON STREET

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

LICENSING COMMITTEE

22 March 2022

NEW LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 625 KING STREET

10. The Committee were advised that the application had been withdrawn.

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 15 VIEWFIELD AVENUE

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

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 13 VIEWFIELD AVENUE

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

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 11 SUNNYSIDE TERRACE

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

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 61 LESLIE ROAD

14. The Committee were advised that the letter of representation/objection had been withdrawn, therefore officers could grant the application under delegated powers when the necessary upgrading works and certification was completed.

REQUEST FOR EXEMPTION FROM AGE OF VEHICLE POLICY - STEVE SMITH

15. 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 in attendance and spoke in support of the exemption request and responded to questions from members of the Committee.

The Committee resolved:-

LICENSING COMMITTEE

22 March 2022

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

QUEEN STREET TAXI RANK PROPOSAL - COM/22/066

16. With reference to article 6 of the minute of meeting of 14 December 2021, the Committee had before it a report by the Director of Commissioning, which provided information on the results of the consultation with Police Scotland, Aberdeen City Council's Roads Service and the general public.

The report recommended:-

that the Committee –

- (a) consider the consultation responses in Appendices 1 and 2; and
- (b) reject the proposal for a taxi rank at Queen Street as unsuitable at present.

The Committee resolved:-

to instruct the Chief Officer - Operations and Protective Services, to undertake the statutory process, in accordance with "The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999", to provide for a Traffic Regulation Order (TRO) that would establish a Taxi Rank on Queen Street.

REVIEW OF STREET TRADER POLICY - COM/22/062

17. The Committee had before it a report by the Director of Commissioning which provided details in relation to the current policies in place regarding street trader's licences and sought approval for change to update the practice and procedure relating to these licences.

The report recommended:-

that the Committee –

- (a) agree to maintain its current guideline prohibiting street trading in the City Centre;
- (b) agree to strengthen its current advertising policy by advertising applications for hot food on Tell Me Scotland in addition to a local newspaper;
- (c) agree that any application for a fixed stance trader in a residential area is referred to Committee;
- (d) agree to maintain all nine zones in relation to mobile traders and confirm that the zones exclude city parks and Council car parks;
- (e) allow hot food vans, for example a Fish and Chip van to operate on a mobile basis;
- (f) instruct the Chief Officer - Governance to consult the holders of Street Traders Licences and The Chief Constable, Police Scotland on the proposed changes to Street Trader Conditions;
- (g) agree a 3-year duration for a street trader licence;
- (h) instruct the Chief Officer - Governance to proceed with the consultation process on any revised policy, and report back to this Committee with a final draft of the revised policy by September 2022.

LICENSING COMMITTEE

22 March 2022

The Committee resolved:-

to approve the recommendations, subject to amending (c) above, to read:- to agree that any application for a fixed stance trader in a residential area and the Beach South Esplanade area is referred to Committee.

TAXI FARE REVIEW 2022 - COM/22/067

18. With reference to article 13 of the minute of meeting of 18 January 2022, the Committee had before it a report by the Director of Commissioning which provided details of the responses to the draft fare tariff.

The report recommended:-

that the Committee –

- (a) approve the fare tariff at Appendix 1;
- (b) instruct the Chief Officer - Governance to notify all operators of taxis within 7 days of the new tariff and their rights of appeal to the Traffic Commissioner; and
- (c) in the absence of an appeal to the Traffic Commissioner, instructs the Chief Officer - Governance to publish the final fare tariff to take effect as of 30 April 2022.

The Committee resolved:-

to approve the recommendations, subject to amending (a) above to read:- approve the fare tariff at Appendix 1, subject to adding the Queen's Platinum Jubilee Bank Holiday under section (5) of the Surcharges.

TAXI AND PRIVATE HIRE CAR CONDITIONS - COM/22/065

19. With reference to article 7 of the minute of meeting of 26 October 2021, the Committee had before it a report by the Director of Commissioning which outlined the amended conditions for taxis and private hire for final approval following the amendments to policy.

The report recommended:-

that the Committee –

- (a) approve the amendments to conditions in Appendix 1; and
- (b) agree an implementation date of 1 April 2022 for all amendments to coincide with the amendments to policy.

The Committee resolved:-

to approve the recommendations.

LICENSING COMMITTEE

22 March 2022

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.

NEW LANDLORD REGISTRATION (AGENDA ITEM 10.1)

20. The Committee had before it (1) an information note prepared by the Private Sector Housing Manager, which provided details in relation to a new application for Landlord Registration; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division dated 21 February 2022.

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

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

Sergeant Grant and the applicant summed up.

The Committee resolved:-

to refuse the application.

REQUEST FOR SUSPENSION OR REVOCATION (PARAGRAPH 11) OF A STREET TRADER LICENCE (AGENDA ITEM 10.2)

21. 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 Street Trader's licence; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division dated 27 January 2022.

As a preliminary matter, Mr Munro, Legal Adviser, Aberdeen City Council advised that he had recently received two character references in support of the licence holder and that the Committee required to consider whether they be accepted into the proceedings.

The Committee resolved:-

to accept the character references into proceedings.

Sergeant Grant was in attendance, spoke in support of Police Scotland's letter and responded to questions from members.

The licence holder was in attendance, responded to the details within Police Scotland's letter and to member's questions.

LICENSING COMMITTEE

22 March 2022

Both parties summed up.

The Committee resolved:-

to take no action.

DECLARATION OF INTEREST

At this point in the proceedings, the Vice-Convenor declared an interest in item 10.3 (Request for the Suspension or Revocation (Paragraph 11 and 12) of a Taxi Driver Licence) by virtue of him knowing the licence holder. He considered that the nature of his interest required him to leave the meeting and he therefore withdrew from the meeting and took no part in the consideration of the following item of business.

REQUEST FOR SUSPENSION OR REVOCATION (PARAGRAPH 11 & 12) OF A TAXI DRIVER LICENCE (AGENDA ITEM 10.3)

22. 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 and 12, 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 8 February 2022.

Sergeant Grant was in attendance, spoke in support of Police Scotland's letter and responded to questions from members.

The licence holder was in attendance, as was his representative, Mr Graham Morrison who spoke in support of the licence holder, responded to the details within Police Scotland's letter and to member's questions.

Both parties summed up.

The Committee resolved:-

- (i) to suspend the licence holder for a period of six months on the grounds that the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause a threat to public order or public safety; and
- (ii) that the circumstances of the case justify immediate suspension.

BOOKING OFFICE LICENCE REVIEW (AGENDA ITEM 10.4)

23. The Committee had before it (1) an information note prepared by the Chief Officer – Governance in respect of the Review; (2); a copy of the Enforcement Officer's report; (3) a letter from Anderson Strathern, the Licence holder's agent dated 25 February 2022,

LICENSING COMMITTEE

22 March 2022

which included a copy of a contract between the licence holder's company and an organisation.

As a preliminary matter, Mr Munro, Legal Adviser, Aberdeen City Council advised that the licence holder wished to circulate further information, namely (a) an email chain between the licence holder's company and an organisation in relation to the contract; and (b) a renewal notice letter dated 14 August 2018.

The Committee resolved:-

to accept the correspondence into the proceedings.

Mr Munro explained the circumstances behind the review and referred to various sections pertaining to the Civic Government (Scotland) Act 1982. He then responded to questions from members.

The licence holder's agent, Mr Skinner provided details in relation to the Booking Office contract and spoke in support of the licence holder. He then responded to questions from members.

Both parties summed up.

Councillor Al-Samarai, seconded by the Convener, moved:-
that the Committee take no action.

Councillor Delaney moved as an amendment:-

that the Committee instruct the Chief Officer – Governance to make the necessary arrangements to instruct Counsel to report back to the Committee with an opinion as to whether the Civic Government (Scotland) Act 1982 would apply in terms of the contract between the licence holder's company and the organisation.

Councillor Delaney did not have a seconder therefore in terms of Standing Order 29.12, his motion fell.

The Committee resolved:-

to take no action.

VALEDICTORY

24. The Convener advised that this would be the last meeting of the Committee prior to the forthcoming Local Government Election in May 2022.

The Convener wished to express his thanks to all officers for their work and support and Councillor's past and present who served on the Committee during his 36 years a member and Convener on the Committee. Finally, he specifically wished to thank

LICENSING COMMITTEE

22 March 2022

Councillor Allan, who was also a long-standing member on the Committee and made reference to the fact that they would both be retiring.

Councillor Delaney added his best wishes to both the Convener and Councillor Allan.

- **COUNCILLOR JOHN REYNOLDS, Convener**

This page is intentionally left blank

	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			5 July 2022						
4	Back Wynd Taxi Rank Proposal	The Council on 28/2/22 agreed to instruct the Chief Officer - Governance to initiate the consultation process to re-establish the taxi rank stances on Back Wynd and the night time taxi rank on Union Street at St Nicholas churchyard, which was never formally suspended, and report back to the Licensing Committee with the results of the consultation exercise		Sandy Munro	Governance	Commissioning	17.3		
5	Street Knowledge Test	The Committee on 26 October 2021 agreed to instruct the Chief Officer – Governance to report back to the Committee on the feasibility of a time limited modular street knowledge test at the meeting on 22 March 2022.		Sandy Munro	Governance	Commissioning	17.3		
6	Appointment of Members to Licensing Sub-Committee and Taxi and Private Hire Car Consultation Group	The purpose of this report is to determine compositions and make appointments to the Licensing Sub-Committee and the Taxi and Private Hire Car Consultation Group under the Committee's remit		Mark Masson	Governance	Commissioning	GD 8.7		
7			6 September 2022						
8	Review of Street Trader Policy	The Committee on 22/3/22 agreed to instruct the Chief Officer - Governance to proceed with the consultation process on any revised policy, and report back to this Committee with a final draft of the revised policy by September 2022		Sandy Munro	Governance	Commissioning	17.3		
9			15 November 2022						
10	No reports scheduled at this time.								

	A	B	C	D	E	F	G	H	I
	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
2									
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	Commissioning	17.3		
13	Review of Taxi Ranks	The Committee on 26/10/21 agreed to instruct the Chief Officer – Governance to undertake a Review of the Taxi Ranks in Aberdeen at the earliest opportunity following any Council decision being taken on the options for vehicle access on Union Street and the Spaces for People interventions in that area.		Sandy Munro	Governance	Commissioning			

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)	Nicholas James + Student House Aberdeen	35 St Machar Drive, Aberdeen	1 Objection	03 March 2023	5 July 2022	21-28
HMO application (renewal)	Bruce Mair	118 Crown Street, Aberdeen	HMO Unit	10 August 2022	5 July 2022	29-32
Request for Exemption from Age of Vehicle Policy	Lee Johnston	N/A	N/A	N/A	5 July 2022	33-36
Request for Exemption from Age of Vehicle Policy	Tula Miah	N/A	N/A	N/A	5 July 2022	37-40
Request for Exemption from Age of Vehicle Policy	Darren Matthew	N/A	N/A	N/A	5 July 2022	41-44
Request for Exemption from Age of Vehicle Policy	Matthew Chyla	N/A	N/A	N/A	5 July 2022	45-46
Request for Exemption from Age of Vehicle Policy	Huseyin Polat	N/A	N/A	N/A	5 July 2022	47-50
Request for Exemption from Age of Vehicle Policy And WAV Policy	Stanley Noble and Chris Winpenny	N/A	N/A	N/A	5 July 2022	51-54

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
Application for Renewal of Taxi Licence	Chris Sedgwick T314	N/A	Legal	29/09/2022	5 July 2022	55-56
Application for Sexual Entertainment Venue Licence	Licholding Ltd 48 Bridge Street Aberdeen AB11 6JN	Silhouette 48 Bridge Street, Aberdeen AB11 6JN	Environmental Health	23/02/2023	5 July 2022	57-62
Application for Sexual Entertainment Venue Licence	TGC Leisure Ltd Chapel Shade House, 78-84 Bell Street Dundee, DD1HN	Private Eyes 70 Chapel Street Aberdeen AB10 1SN	N/A	24/02/2023	5 July 2022	63-66
Application for Sexual Entertainment Venue Licence	TGC Leisure Ltd Chapel Shade House, 78-84 Bell Street Dundee, DD1HN	Private Eyes 2 30 Bridge Street Aberdeen AB11 6JN	N/A	24/02/2023	5 July 2022	67-70
Application for Sexual Entertainment Venue Licence	Devana Investments Limited c/o Kairdson Business	Bugsy Browns 7 Windmill Brae Aberdeen AB11 6HU	N/A	27/02/2023	5 July 2022	71-74

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
	Centre, Hospital Road					
Application for Sexual Entertainment Venue Licence	New Progress Limited 52 Bridge Street Aberdeen AB11 6JN	The Mask above Magma, 52 Bridge Street Aberdeen AB11 6JN	Environmental Health	27/02/2023	5 July 2022	75-80
Application for Sexual Entertainment Venue Licence	Punch Partnership Ltd, c/o TLT LLP, 140 West George Street, Glasgow G2 2HG	Number 7, 7 Crown Street Aberdeen AB11 6HA	Building Standards	31/02/2023	5 July 2022	81-86
Application for Sexual Entertainment Venue Licence	Gloryever Limited 21 Crown Terrace Aberdeen	House of Ginza 21 Crown Terrace Aberdeen	Police Building Standards Environmental Health Public Objections x3	16/03/2023	5 July 2022	87-102

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

5 July 2022

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: NICHOLAS JAMES

AGENT: STUDENT HOUSE ABERDEEN

ADDRESS: 35 ST. MACHAR DRIVE, ABERDEEN

INFORMATION NOTE

This HMO licence application is on the agenda of the Licensing Committee for the reason that one written representation/objection was submitted to the HMO Unit.

If, after consideration of the representation/objection, the Committee is minded to grant the HMO licence it may do so under delegated powers for the reason that at the time of drafting this report, the necessary upgrading work & certification is not complete. I will advise Members during the meeting if that position has changed.

DESCRIPTION

The premises at No.35 St. Machar Drive, Aberdeen, is a two-storey semi-detached house with accommodation comprising 4 letting bedrooms, lounge, kitchen/diner, study area, shower room & bathroom. The applicant wishes to accommodate a maximum of 4 tenants, which is acceptable to the HMO Unit in terms of space & layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

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

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – one written representation/objection (Attached as Appendix B).
- Licence-applicant – one written representation in response to the letter of representation/objection (Attached as Appendix C)

The written representation/objection (Appendix B) was received within the statutory 21-day period and must therefore be considered by Committee.

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
 - ix) There is, or would be, an overprovision of HMOs in the locality

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and his registration includes No.35 St.Machar Drive and another 2 rental properties.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.35 St.Machar Drive.
- The previous owners of No.35 St.Machar Drive held an HMO licence between November 2013 and March 2022 when the property was sold to the applicant.
- Along the length of St.Machar Drive, between Don Street and King Street, the properties at No.80 St.Machar Drive and Nos.7 & 8 St.Machar Place are currently HMO-licensed.
- The representation/objection includes 2 separate points as follows:

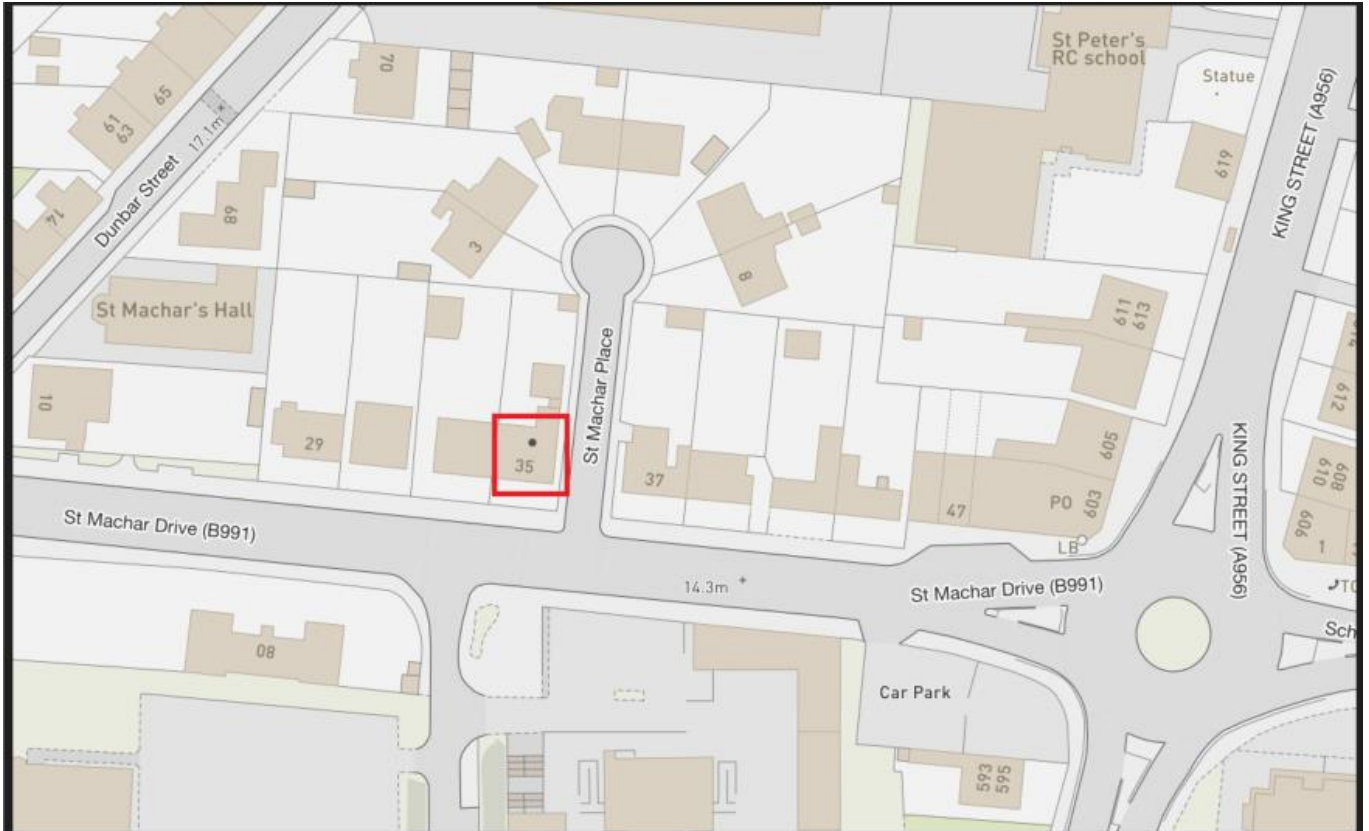
"50 percent of the property's around my house is far to much"

The objector appears to believe that 50% of the neighbouring properties are HMO-licensed. This perhaps infers 'Overprovision' which is a statutory ground of refusal of an HMO licence application, however this ground of refusal is not available to the Committee for the reason that an 'Overprovision' policy has never been agreed by the Council.

“there is a lack of parking too.”

Members may wish to note that car parking is not a consideration of HMO Licensing as it is not mentioned in the Statutory Guidance, nor is it covered by any of the statutory grounds of refusal mentioned above.

'A'



'B'

From: Robert Moir

Sent: 14 March 2022 17:44

To: HMOUnit <HMOUnit@aberdeencity.gov.uk>

Subject: Re: Re:

I would like to object to 35 st machar drive getting a hmo license because I think 50 percent of the property's around my house is far to much and there is a lack of parking too.

Robert Moir



From: Nick James
Sent: 26 April 2022 11:54
To: HMOUnit <HMOUnit@aberdeencity.gov.uk>
Cc:
Subject: HMO APPLICATION - 35 ST MACHAR DRIVE, ABERDEEN

Dear Ms Janssen

REF:
PART 5 OF HOUSING (SCOTLAND) ACT 2006
APPLICATION FOR LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION (HMO)
PREMISES: 35 ST MACHAR DRIVE, ABERDEEN
LICENSING COMMITTEE: WEDNESDAY, 15 JUNE 2022

Thank you for your invite to the licensing committee meeting to hear our case for continuing 35 St Macher as an HMO licensed property.

My wife and I purchased this property in March 2022, with the understanding that the property has historically been let as an HMO licensed property for over 5 years, and the intention to continue to let it as an HMO licensed property to students for the foreseeable future. The property was purchased with tenants in situ, who are still resident in the building. To my knowledge there have been no incidents of anti-social behaviour from these tenants, but please rest assured that in the event of any antisocial behaviour we will act quickly to address it and minimise any unrest amongst local residents. Our managing agent Student House Aberdeen has a 24 hour contact number and email through which any issues can be reported to us.

To address the concerns of Mr Robert Moir:

1. Number of HMOs in the area. Whilst we personally do not have experience of the proportion of HMOs in the area, and whether it is having a negative impact, we can as already provided, give assurances to address any antisocial behaviour quickly. And while there may be an argument for limiting additional HMO licenses in the area, 35 St Macher has already been providing good student accommodation under an HMO licence to Aberdeen University students for more than 5 years. In many respects 35 St Macher is ideally suited to be used for Aberdeen University student accommodation because it is situated directly across the road from the university. It reduces the number of car journeys (or even the need for a car) and thereby emissions, road and parking congestion. It reduces over-reliance on public transport. It's vicinity also means a short, well-lit and therefore safer commute for students, which can also contribute towards giving students more productive time.

2. Parking congestion. 35 St Macher has off street parking on its premises for 2 cars in a double lockable garage. Given the property's closeness to the university it means that students living at 35 St Macher will neither need a car for university life, nor be driving to campus from outside the walkable belt, therefore

allowing students to live at 35 St Macher will in effect be reducing parking congestion in the area vs. forcing them to live further afield.

I will attend the committee meeting on the 15th June, and look forward to receiving the agenda, any further briefing materials and the Microsoft teams link.

Best regards,

Nick James

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

5 July 2022

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: BRUCE MAIR

ADDRESS: 118 CROWN STREET, 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 5 July 2022, 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 5 July 2022. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The property at No.118 Crown Street, Aberdeen, is a mid-terraced townhouse on 3 storeys & basement providing accommodation of 7 letting bedrooms, lounge, dining kitchen & 2 bathrooms.

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 his registration includes No.118 Crown Street.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.118 Crown Street.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All self-closing doors to be checked and adjusted as necessary to ensure that they fully close against their stops from all angles of swing.
 - 2) All faulty or missing lightbulbs to be replaced immediately.
 - 3) The downlight in the top-floor right-hand bedroom to be securely fixed to the ceiling.
 - 4) During the inspection it was not possible to access 2 of the letting bedrooms. The applicant to confirm that both bedrooms meet the HMO standard.
 - 5) The lounge door handle to be replaced.
 - 6) Every window to be inspected and adjusted as necessary to ensure that it easily opens and closes for ventilation purposes.
 - 7) A Prohibition Notice to be fixed in a prominent position beside the open fire in the middle-floor bedroom.
 - 8) The housekeeping in the communal areas to be addressed and improved.

- 9) The following documentation to be submitted for inspection:
- Notice of HMO Application – Certificate of Compliance
 - Portable Appliance Test (PAT) certificate
 - Copy of Private Residential Tenancy (PRT) Agreement

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

05 JULY 2022

Potential Private Hire Car Licence Application

Applicant: - Lee Johnston

Vehicle: - MT14 TYC

INFORMATION NOTE

Mr Johnston is seeking an exemption from the Committee Policy that states that any vehicle being licensed as part of a Grant of Licence, Temporary Licence or Substitution application must be 5 years old or less on the day the application is submitted.

The Policy is in place to ensure that the taxi fleet contains a high standard of vehicle in terms of appearance and mechanical performance

The Committee has before it an email from Mr Johnston indicating the grounds under which he is seeking the exemption.

It should be noted that the vehicle is now 8 years old and was previously licensed under Taxi Licence T728 from 14/03/2019 to 05/05/2022 (Mr Johnston was not the licence holder).

Should the Committee be minded to grant the exemption Mr Johnston is aware that he will be required to apply for the Grant of a Private Hire Car Licence as he is not currently the holder of such a licence.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any Grant, Temporary or Substitution application for a Private Hire Car Licence must relate to a vehicle that is 5 years old or less on the date of application.

This page is intentionally left blank

My reasons for pursuing this option are as follows.

Due to changes in the regulations, I would be forced to change my vehicle. Before these changes, I would have expected to have at least another year or two to finish paying off the finance and save a deposit for a new vehicle.

Due to downturn in the taxi industry because of covid, my current vehicle has lower than average mileage (for an average car, significantly lower than an average taxi) is still in excellent condition and in fact receives regular complements from passengers. most of my passengers are under the impression that it is a new/nearly new Mercedes.

Due to Covid my current financial situation is dire. a new car/WAV, plus interest is going to cost me around £20K over the next few year where had been expecting it only to cost £4k (the remainder of my current finance agreement. As this vehicle has been used as a taxi its trade in/resale value is £2.2K. this is despite vehicles of this age and mileage selling for £10-15K. Gaining finance for a new vehicle is also a big "if" I have missed many bill payments over the past two years and may not be allegeable to borrow.

Over the next few years I would be looking to change to a WAV in order to pick up off the street. This is not currently a meaningful part of my day to day business. Before covid this was a picking off the street or ranks was a large part of my business and I expect it to be again once trade picks up. Also once the city centre is reorganised and patrons know/understand where and how to catch a taxi without having to arrange it through a booking office.

As of Monday 18th I will no longer be trading until I have either a new vehicle or affirmation from the licencing committee. an efficient response will be greatly appreciated. I would be happy to discuss over the phone if you wish.

Can you please advise whether there is any way to expedite the decision from the licencing committee and the application process (if applicable). What date is the meeting of the licencing committee?

Also with regards to the fee payment, I was advised that I would be sent a link to the payment portal upon application for a new licence grant. payment of this pending a decision route going forward.

Thanks in advance for your help

Lee Johnston.

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

05 JULY 2022

Potential Private Hire Car Licence Application

Applicant: - Tula Miah

Vehicle: - T14 ULA

INFORMATION NOTE

Mr Miah is seeking an exemption from the Committee Policy that states that any vehicle being licensed as part of a Grant of Licence, Temporary Licence or Substitution application must be 5 years old or less on the day the application is submitted.

The Policy is in place to ensure that the taxi fleet contains a high standard of vehicle in terms of appearance and mechanical performance

The Committee has before it an email from Mr Miah indicating the grounds under which he is seeking the exemption.

It should be noted that the vehicle is now 8 years old and is currently licensed under Taxi Licence T706 (Mr Miah is not the licence holder) having been previously licensed as a Private Hire Car under PH140 (09/11/2016-18/04/2018) and PH233 (28/06/2018-11/10/2018).

Should the Committee be minded to grant the exemption Mr Miah is aware that he will be required to apply for the Grant of a Private Hire Car Licence as he is not currently the holder of such a licence.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any Grant, Temporary or Substitution application for a Private Hire Car Licence must relate to a vehicle that is 5 years old or less on the date of application.

This page is intentionally left blank

Good morning, I would like to get an exemption for my vehicle T14ULA to a PHC . The reason for my exemption is that at the moment my circumstances I can't afford to buy a new car just now as I have a family to feed and a house to heat . As u are aware of the rising living cost it's just not bearable to get myself into debt that I may not be able to keep up with unless over the time things change . I hope u understand my situation and appreciate your time and effort thank you kind regards Tula Miah

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

05 JULY 2022

Potential Private Hire Car Licence Application

Applicant:- Darren Matthew

Vehicle:- SG64 YCU

INFORMATION NOTE

Mr Matthew is seeking an exemption from the Committee Policy that states that any vehicle being licensed as part of a Grant of Licence, Temporary Licence or Substitution application must be 5 years old or less on the day the application is submitted.

The Policy is in place to ensure that the taxi fleet contains a high standard of vehicle in terms of appearance and mechanical performance.

The Committee has before it an email from Mr Matthew indicating the grounds under which he is seeking the exemption.

It should be noted that the vehicle is now 7 years old and is currently licensed under Taxi Licence T075 (Mr Matthew is not the licence holder).

Should the Committee be minded to grant the exemption Mr Matthew is aware that he will be required to apply for the Grant of a Private Hire Car Licence as he is not currently the holder of such a licence.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any Grant, Temporary or Substitution application for a Private Hire Car Licence must relate to a vehicle that is 5 years old or less on the date of application.

This page is intentionally left blank

I would like to request a meeting with the committee, regarding an exemption of the vehicle age regulation, due to purchasing a taxi shortly before the new plate management rules came into effect.

Kind regards,

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

05 JULY 2022

Private Hire Car Licence Application- Grant of Licence

Applicant: - Matthew Chyla

Vehicle: - KN17 EUB

INFORMATION NOTE

Grant of Licence Application submitted 07/06/2022

Determination date 06/03/2023

Mr Chyla is seeking an exemption from the Committee Policy that states that any vehicle being licensed as part of a Grant of Licence, Temporary Licence or Substitution application for a Private Hire Car must be 5 years old or less on the day the application is submitted.

The Policy is in place to ensure that the taxi fleet contains a high standard of vehicle in terms of appearance and mechanical performance

The Committee has before it an email from Mr Chyla indicating the grounds under which he is seeking the exemption.

It should be noted that the vehicle is now 5 years, 4 months old.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any Grant, Temporary or Substitution application for a Private Hire Car Licence must relate to a vehicle that is 5 years old or less on the date of application.

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

05 JULY 2022

Private Hire Car Licence Application- Grant of Licence

Applicant: - Huseyin Polat

Vehicle: - WD65 EFE

INFORMATION NOTE

Grant of Licence Application submitted 10/03/2022

Determination date 09/12/2022

Mr Polat is seeking an exemption from the Committee Policy that states that any vehicle being licensed as part of a Grant of Licence, Temporary Licence or Substitution application must be 5 years old or less on the day the application is submitted.

The Policy is in place to ensure that the taxi fleet contains a high standard of vehicle in terms of appearance and mechanical performance

The Committee has before it an email from Mr Polat indicating the grounds under which he is seeking the exemption.

It should be noted that the vehicle is now 6 years old and was previously licensed under Taxi Licence T386 (Mr Polat was not the licence holder) from 31/03/2017 to 31/10/2020 and licensed under Taxi Licence T262 (Mr Polat was not the licence holder) from 25/11/2020 to 27/07/2021.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any Grant, Temporary or Substitution application for a Private Hire Car Licence must relate to a vehicle that is 5 years old or less on the date of application.

This page is intentionally left blank

Hi David

I used this vehicle 5 years as a taxi

Because of the covid 19 I couldn't work properly, and I can't not afford buy new car.

That's why I apply private hire vehicle plate.

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

05 JULY 2022

Potential Taxi Licence Application

Applicants: - Christopher Winpenny & Stanley Noble

Vehicle: - OE16 YSF

INFORMATION NOTE

Mr Winpenny & Mr Noble are seeking exemptions from three policies of the Licensing Committee-

1. To the Committee Policy that states that any vehicle being licensed as part of a Grant of Licence, Temporary Licence or Substitution application must be 5 years old or less on the day the application is submitted.
2. To the Committee Policy that states that any application for the Grant of a Taxi Licence must be for a Wheelchair Accessible Vehicle (WAV)
3. To the Committee Policy that states that the licence holder must be the legal owner & registered keeper of the licensed vehicle and must also be the main insured party.

The Age of Vehicle Policy is in place to ensure that the taxi fleet contains a high standard of vehicle in terms of appearance and mechanical performance.

The WAV policy is in place to meet our obligations under the Disability Discrimination legislation in terms of providing a mixed fleet

The Committee has before it an email from Mr Winpenny indicating the grounds under which they are seeking the exemptions.

It should be noted that the vehicle is now 5 years 11 months old and was previously licensed under Taxi Licence T007 22/11/2018 to 31/10/2021. The licence itself was granted prior to 1994 and expired 31/10/2021 as it was not renewed.

Should the Committee be minded to grant the exemptions Mr Winpenny is aware that he will be required to apply for the Grant of a Taxi Licence in the name of the partnership as they are not currently the holder of such a licence.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any Grant, Temporary or Substitution application for a Taxi Licence must relate to a vehicle that is 5 years old or less on the date of application.

Licensing Committee policy states that any application for the Grant of a Taxi Licence must be for a WAV.

Licensing Committee policy states that the Licence holder must be the legal owner, registered keeper and main insured party for any vehicle licensed.

This page is intentionally left blank

Good morning Dave

Could you please present our request to the Licensing committee on our behalf on the next meeting

Would the committee look favourably on our situation we wish to re-licence our saloon car due to unforeseen circumstances due to the trying times of Covid due to isolation no normal communication myself and my partner of the plate T700 we have had for 30 years I thought he had renewed the license and he was under the impression I did we had no idea we had not renewed the plate till we went for Hackney the car on 22/04/2022it passed it's hackney we were informed that there was a mix up with the plate which license had not been renewed this has Had a great impact on our livelihood as been off off 18 months due to Covid now we are not able to work from The 22/04/2022 I hope the committee can look at this favourable we have 70 years of serving the public and have never been in any situation regarding Licensing or conduct we would also like to be excepted from both the Wav policy and the age of vehicle policy (the vehicle that was licensed is more than 3 years old Regards Mr Stanley Noble and Mr Chris Winpenny

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET
05 JULY 2022

Taxi Licence Renewal- T314
Licence Holder: - Christopher Sedgwick
Vehicle: - SF59 AWP

INFORMATION NOTE

Renewal submitted 30/09/2021

Determination date 29/09/2022

A hackney test was booked for the vehicle in question on 31/05/2021 however the licence holder brought the wrong vehicle for testing.

Subsequently there was no contact from the licence holder and therefore on grounds of public safety, taxi licence T314 was suspended under Section 11 of the Civic Government (Scotland) Act 1982 on 01/02/2022 (the licence holder was advised of this by email).

There was no response from the licence holder and the licence remains suspended as the vehicle has still not passed a hackney test.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that all licensed vehicles must pass two hackney tests per 12 month period and that one of those tests must be at or around the licence renewal date.

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

5 July 2022

TYPE OF APPLICATION: Grant of Sexual Entertainment Venue Licence (SEV)

APPLICANT: Licholding Ltd

INFORMATION NOTE

Premises: Silhouette, 48 Bridge Street Aberdeen

Hours of Operation: Sunday to Thursday 12:00 to 02:00 and Friday and Saturday 13:00 to 03:00

Is the proposal for full nudity? Yes

Nature of the entertainment: Live music, DJs, dancing, pole dancing, lap dancing and exotic dancing

DESCRIPTION

Grant of SEV Licence

CONSULTEES

- Police Scotland
- Building Standards
- Environmental Health

OBJECTIONS/REPRESENTATIONS

Environmental Health

COMMITTEE GUIDELINES/POLICY

Section 45B(7) of the 1982 Act requires that, in carrying out its functions, a local authority must have regard to guidance issued by Ministers.

Scottish Government guidance provides:

Local authorities who have resolved to licence SEVs must determine the appropriate number of SEVs for both their area and for each relevant locality within their area (see paragraph 9(5A) of Schedule 2 of the 1982 Act). Paragraph 9(5)(c) of Schedule 2 allows local authorities to refuse applications on grounds that, at the time the application is determined, the number of SEV in the local authority's area or relevant locality is equal to or exceeds the number that the authority considers appropriate for their area or that locality.

In the Sexual Entertainment Venue Licensing Policy Statement the Committee have designated two localities, namely the City Centre and Outwith City Centre. The Committee have set a limit of six premises for the City Centre locality and a limit of zero premises for the Outwith City Centre locality.

Under the 1982 Act the Committee has the discretion to refuse applications relating to SEVs if it is considered that the granting or renewal of the licence would be unsuitable, having regard to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. It is expected that when an application for a SEV licence is made, that the applicant will be able to demonstrate that the immediate vicinity, layout, character and/or condition of the premises is appropriate to the relevant entertainment proposed at the premises.

The Sensitive Premises Presumption

The presumption of refusal will be regarded as being enhanced if the proposed SEV is within 750 metres of the following Sensitive Premises:

- 1) schools, play areas, nurseries, parks, swimming pools and other sports facilities
- 2) cinemas, theatres and concert halls
- 3) libraries and museums
- 4) premises likely to be frequented by people under 18 or families
- 5) public buildings including Council offices
- 6) retail shopping areas
- 7) residential areas (including care and nursing homes and other elderly accommodation)
- 8) places of worship, celebration or commemoration
- 9) community centres
- 10) services (including businesses and charities) focussed on supporting women, children and young people, such as women's refuges
- 11) services (including businesses and charities) focussed on supporting homeless people, people with substance abuse issues, mental health issues, or other vulnerable people
- 12) historic buildings or tourist attractions
- 13) roads, footpaths and other access routes to any of the above
- 14) medical centres (including hospitals and GP surgeries)

In determining whether or not the Sensitive Premises Presumption applies, the Council will also have regard to:

- (a) Whether any SEVs are already operating, or have operated, in the Relevant Locality (whether under a SEV Licence, under the 'Occasional Exemption', or with a Waiver);

(b) Whether there have been reports to the Police or Home Office of incidents within the Relevant Locality (whether or not leading to prosecution or conviction) of human trafficking or exploitation, or breaches of immigration laws by the Applicant or anyone else concerned with the proposed SEV;

(c) Whether there have been reports to the Police of incidents within 50 metres of the proposed SEV (whether or not leading to prosecution or conviction) of crime (including sexual assaults or minor harassment) or anti-social behaviour:

(d) The existing character and function of the area in which the SEV is to be located; and

(e) The views of residents and other relevant interested persons as far as is possible.

The Sensitive Premises Presumption is a rebuttable presumption. Each application will be determined on its own merits.

GROUNDS FOR REFUSAL

(a) that the applicant or, where the applicant is a person other than a natural person, any director of it or any partner in it or any person responsible for its management, is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;

(b) that, if the licence were to be granted or renewed, the business 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) that the number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the local authority consider is appropriate for that locality;

(d) that the grant or renewal of the licence would be inappropriate, having regard—

(i) to the character of the relevant locality; or

(ii) to the use to which any premises in the vicinity are put; or

(iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

This page is intentionally left blank

Sexual Entertainment Licence Application by Licholding Limited ,at Silhouettes ,48 Bridge St., Aberdeen AB11 6JN

I refer to the above application .

The premises were visited on 19/03/22 by Officers of this Service and can advise that the following require to be addressed-

- 1) The appropriate code of conduct for customers to be displayed in prominent areas in the venue and at each customer table in the bar area,
- 2) Minimum of one door supervisor to be at entry/exit and on each performance floor,
- 3) No photography to be permitted,
- 4) The staff welfare policy submitted with the application was generic and not specific to the venue and the activities.

Best wishes,



Andrew Gilchrist | Principal Environmental Health Officer

Aberdeen City Council | Commercial Team | Operations and Protective Services
| Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10
1AB

Direct Dial: 01224 522720

www.aberdeencity.gov.uk | Twitter: @AberdeenCC | Facebook.com/AberdeenCC

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

5 July 2022

TYPE OF APPLICATION: Grant of Sexual Entertainment Venue Licence (SEV)

APPLICANT: TGC Leisure Ltd

INFORMATION NOTE

Premises: Private Eyes, 70 Chapel Street, Aberdeen

Hours of Operation: Sunday to Thursday 19:00 to 02:00 and Friday and Saturday 19:00 to 03:00

Is the proposal for full nudity? Yes

Nature of the entertainment: Striptease, pole dancing, lap dancing, erotic dancing.

DESCRIPTION

Grant of SEV Licence

CONSULTEES

- Police Scotland
- Building Standards
- Environmental Health

OBJECTIONS/REPRESENTATIONS

None

COMMITTEE GUIDELINES/POLICY

Section 45B(7) of the 1982 Act requires that, in carrying out its functions, a local authority must have regard to guidance issued by Ministers.

Scottish Government guidance provides:

Local authorities who have resolved to licence SEVs must determine the appropriate number of SEVs for both their area and for each relevant locality within their area (see paragraph 9(5A) of Schedule 2 of the 1982 Act). Paragraph 9(5)(c) of Schedule 2 allows local authorities to refuse applications on grounds that, at the time the application is determined, the number of SEV in the local

authority's area or relevant locality is equal to or exceeds the number that the authority considers appropriate for their area or that locality.

In the Sexual Entertainment Venue Licensing Policy Statement the Committee have designated two localities, namely the City Centre and Outwith City Centre.

The Committee have set a limit of six premises for the City Centre locality and a limit of zero premises for the Outwith City Centre locality.

Under the 1982 Act the Committee has the discretion to refuse applications relating to SEVs if it is considered that the granting or renewal of the licence would be unsuitable, having regard to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. It is expected that when an application for a SEV licence is made, that the applicant will be able to demonstrate that the immediate vicinity, layout, character and/or condition of the premises is appropriate to the relevant entertainment proposed at the premises.

The Sensitive Premises Presumption

The presumption of refusal will be regarded as being enhanced if the proposed SEV is within 750 metres of the following Sensitive Premises:

- 1) schools, play areas, nurseries, parks, swimming pools and other sports facilities
- 2) cinemas, theatres and concert halls
- 3) libraries and museums
- 4) premises likely to be frequented by people under 18 or families
- 5) public buildings including Council offices
- 6) retail shopping areas
- 7) residential areas (including care and nursing homes and other elderly accommodation)
- 8) places of worship, celebration or commemoration
- 9) community centres
- 10) services (including businesses and charities) focussed on supporting women, children and young people, such as women's refuges
- 11) services (including businesses and charities) focussed on supporting homeless people, people with substance abuse issues, mental health issues, or other vulnerable people
- 12) historic buildings or tourist attractions
- 13) roads, footpaths and other access routes to any of the above
- 14) medical centres (including hospitals and GP surgeries)

In determining whether or not the Sensitive Premises Presumption applies, the Council will also have regard to:

- (a) Whether any SEVs are already operating, or have operated, in the Relevant Locality (whether under a SEV Licence, under the 'Occasional Exemption', or with a Waiver);
 - (b) Whether there have been reports to the Police or Home Office of incidents within the Relevant Locality (whether or not leading to prosecution or conviction) of human trafficking or exploitation, or breaches of immigration laws by the Applicant or anyone else concerned with the proposed SEV;
 - (c) Whether there have been reports to the Police of incidents within 50 metres of the proposed SEV (whether or not leading to prosecution or conviction) of crime (including sexual assaults or minor harassment) or anti-social behaviour;
 - (d) The existing character and function of the area in which the SEV is to be located; and
 - (e) The views of residents and other relevant interested persons as far as is possible.
- The Sensitive Premises Presumption is a rebuttable presumption. Each application will be determined on its own merits.

GROUNDS FOR REFUSAL

- (a) that the applicant or, where the applicant is a person other than a natural person, any director of it or any partner in it or any person responsible for its management, is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- (b) that, if the licence were to be granted or renewed, the business 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) that the number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the local authority consider is appropriate for that locality;
- (d) that the grant or renewal of the licence would be inappropriate, having regard—
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

5 July 2022

TYPE OF APPLICATION: Grant of Sexual Entertainment Venue Licence (SEV)

APPLICANT: TGC Leisure Ltd

INFORMATION NOTE

Premises: Private Eyes 2, 30 Bridge Street

Hours of Operation: Sunday to Thursday 19:00 to 02:00 and Friday and Saturday 19:00 to 03:00

Is the proposal for full nudity? Yes

Nature of the entertainment: Striptease, pole dancing, lap dancing, erotic dancing.

DESCRIPTION

Grant of SEV Licence

CONSULTEES

- Police Scotland
- Building Standards
- Environmental Health

OBJECTIONS/REPRESENTATIONS

None

COMMITTEE GUIDELINES/POLICY

Section 45B(7) of the 1982 Act requires that, in carrying out its functions, a local authority must have regard to guidance issued by Ministers.

Scottish Government guidance provides:

Local authorities who have resolved to licence SEVs must determine the appropriate number of SEVs for both their area and for each relevant locality within their area (see paragraph 9(5A) of Schedule 2 of the 1982 Act). Paragraph 9(5)(c) of Schedule 2 allows local authorities to refuse applications on grounds that, at the time the application is determined, the number of SEV in the local authority's area or relevant locality is equal to or exceeds the number that the authority considers appropriate for their area or that locality.

In the Sexual Entertainment Venue Licensing Policy Statement the Committee have designated two localities, namely the City Centre and Outwith City Centre.

The Committee have set a limit of six premises for the City Centre locality and a limit of zero premises for the Outwith City Centre locality.

Under the 1982 Act the Committee has the discretion to refuse applications relating to SEVs if it is considered that the granting or renewal of the licence would be unsuitable, having regard to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. It is expected that when an application for a SEV licence is made, that the applicant will be able to demonstrate that the immediate vicinity, layout, character and/or condition of the premises is appropriate to the relevant entertainment proposed at the premises.

The Sensitive Premises Presumption

The presumption of refusal will be regarded as being enhanced if the proposed SEV is within 750 metres of the following Sensitive Premises:

- 1) schools, play areas, nurseries, parks, swimming pools and other sports facilities
- 2) cinemas, theatres and concert halls
- 3) libraries and museums
- 4) premises likely to be frequented by people under 18 or families
- 5) public buildings including Council offices
- 6) retail shopping areas
- 7) residential areas (including care and nursing homes and other elderly accommodation)
- 8) places of worship, celebration or commemoration
- 9) community centres
- 10) services (including businesses and charities) focussed on supporting women, children and young people, such as women's refuges
- 11) services (including businesses and charities) focussed on supporting homeless people, people with substance abuse issues, mental health issues, or other vulnerable people
- 12) historic buildings or tourist attractions
- 13) roads, footpaths and other access routes to any of the above
- 14) medical centres (including hospitals and GP surgeries)

In determining whether or not the Sensitive Premises Presumption applies, the Council will also have regard to:

- (a) Whether any SEVs are already operating, or have operated, in the Relevant Locality (whether under a SEV Licence, under the 'Occasional Exemption', or with a Waiver);
- (b) Whether there have been reports to the Police or Home Office of incidents within the Relevant Locality (whether or not leading to prosecution or conviction) of human trafficking or exploitation, or breaches of immigration laws by the Applicant or anyone else concerned with the proposed SEV;
- (c) Whether there have been reports to the Police of incidents within 50 metres of the proposed SEV (whether or not leading to prosecution or conviction) of crime (including sexual assaults or minor harassment) or anti-social behaviour;
- (d) The existing character and function of the area in which the SEV is to be located; and
- (e) The views of residents and other relevant interested persons as far as is possible.

The Sensitive Premises Presumption is a rebuttable presumption. Each application will be determined on its own merits.

GROUNDS FOR REFUSAL

- (a) that the applicant or, where the applicant is a person other than a natural person, any director of it or any partner in it or any person responsible for its management, is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- (b) that, if the licence were to be granted or renewed, the business 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) that the number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the local authority consider is appropriate for that locality;
- (d) that the grant or renewal of the licence would be inappropriate, having regard—
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

5 July 2022

TYPE OF APPLICATION: Grant of Sexual Entertainment Venue Licence (SEV)

APPLICANT: Devana Investments Limited

INFORMATION NOTE

Premises: Buggy Browns, 7 Windmill Brae, Aberdeen

Hours of Operation: Sunday to Thursday 13:00 to 02:00 and Friday and Saturday 13:00 to 03:00

Is the proposal for full nudity? Yes

Nature of the entertainment: lap dance, strip tease, pole dancing

DESCRIPTION

Grant of SEV Licence

CONSULTEES

- Police Scotland
- Building Standards
- Environmental Health

OBJECTIONS/REPRESENTATIONS

None

COMMITTEE GUIDELINES/POLICY

Section 45B(7) of the 1982 Act requires that, in carrying out its functions, a local authority must have regard to guidance issued by Ministers.

Scottish Government guidance provides:

Local authorities who have resolved to licence SEVs must determine the appropriate number of SEVs for both their area and for each relevant locality within their area (see paragraph 9(5A) of Schedule 2 of the 1982 Act). Paragraph 9(5)(c) of Schedule 2 allows local authorities to refuse applications on grounds that, at the time the application is determined, the number of SEV in the local authority's area or relevant locality is equal to or exceeds the number that the authority considers appropriate for their area or that locality.

In the Sexual Entertainment Venue Licensing Policy Statement the Committee have designated two localities, namely the City Centre and Outwith City Centre.

The Committee have set a limit of six premises for the City Centre locality and a limit of zero premises for the Outwith City Centre locality.

Under the 1982 Act the Committee has the discretion to refuse applications relating to SEVs if it is considered that the granting or renewal of the licence would be unsuitable, having regard to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. It is expected that when an application for a SEV licence is made, that the applicant will be able to demonstrate that the immediate vicinity, layout, character and/or condition of the premises is appropriate to the relevant entertainment proposed at the premises.

The Sensitive Premises Presumption

The presumption of refusal will be regarded as being enhanced if the proposed SEV is within 750 metres of the following Sensitive Premises:

- 1) schools, play areas, nurseries, parks, swimming pools and other sports facilities
- 2) cinemas, theatres and concert halls
- 3) libraries and museums
- 4) premises likely to be frequented by people under 18 or families
- 5) public buildings including Council offices
- 6) retail shopping areas
- 7) residential areas (including care and nursing homes and other elderly accommodation)
- 8) places of worship, celebration or commemoration
- 9) community centres
- 10) services (including businesses and charities) focussed on supporting women, children and young people, such as women's refuges
- 11) services (including businesses and charities) focussed on supporting homeless people, people with substance abuse issues, mental health issues, or other vulnerable people
- 12) historic buildings or tourist attractions
- 13) roads, footpaths and other access routes to any of the above
- 14) medical centres (including hospitals and GP surgeries)

In determining whether or not the Sensitive Premises Presumption applies, the Council will also have regard to:

(a) Whether any SEVs are already operating, or have operated, in the Relevant Locality (whether under a SEV Licence, under the 'Occasional Exemption', or with a Waiver);

(b) Whether there have been reports to the Police or Home Office of incidents within the Relevant Locality (whether or not leading to prosecution or conviction) of human trafficking or exploitation, or breaches of immigration laws by the Applicant or anyone else concerned with the proposed SEV;

(c) Whether there have been reports to the Police of incidents within 50 metres of the proposed SEV (whether or not leading to prosecution or conviction) of crime (including sexual assaults or minor harassment) or anti-social behaviour:

(d) The existing character and function of the area in which the SEV is to be located; and

(e) The views of residents and other relevant interested persons as far as is possible.

The Sensitive Premises Presumption is a rebuttable presumption. Each application will be determined on its own merits.

GROUNDS FOR REFUSAL

(a) that the applicant or, where the applicant is a person other than a natural person, any director of it or any partner in it or any person responsible for its management, is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;

(b) that, if the licence were to be granted or renewed, the business 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) that the number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the local authority consider is appropriate for that locality;

(d) that the grant or renewal of the licence would be inappropriate, having regard—

(i) to the character of the relevant locality; or

(ii) to the use to which any premises in the vicinity are put; or

(iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

5 July 2022

TYPE OF APPLICATION: Grant of Sexual Entertainment Venue Licence (SEV)

APPLICANT: New Progress Limited

INFORMATION NOTE

Premises: The Mask above Magma, 52 Bridge Steet, Aberdeen

Hours of Operation: Sunday to Thursday 12:00 to 02:00 and Friday and Saturday 13:00 to 03:00

Is the proposal for full nudity? Yes

Nature of the entertainment: DJ, live music, dancing, pole dancing, lap dancing and exotic dancing.

DESCRIPTION

Grant of SEV Licence

CONSULTEES

- Police Scotland
- Building Standards
- Environmental Health

OBJECTIONS/REPRESENTATIONS

Environmental Health

COMMITTEE GUIDELINES/POLICY

Section 45B(7) of the 1982 Act requires that, in carrying out its functions, a local authority must have regard to guidance issued by Ministers.

Scottish Government guidance provides:

Local authorities who have resolved to licence SEVs must determine the appropriate number of SEVs for both their area and for each relevant locality within their area (see paragraph 9(5A) of Schedule 2 of the 1982 Act). Paragraph 9(5)(c) of Schedule 2 allows local authorities to refuse applications on grounds that, at the time the application is determined, the number of SEV in the local authority's area or relevant locality is equal to or exceeds the number that the authority considers appropriate for their area or that locality.

In the Sexual Entertainment Venue Licensing Policy Statement the Committee have designated two localities, namely the City Centre and Outwith City Centre.

The Committee have set a limit of six premises for the City Centre locality and a limit of zero premises for the Outwith City Centre locality.

Under the 1982 Act the Committee has the discretion to refuse applications relating to SEVs if it is considered that the granting or renewal of the licence would be unsuitable, having regard to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. It is expected that when an application for a SEV licence is made, that the applicant will be able to demonstrate that the immediate vicinity, layout, character and/or condition of the premises is appropriate to the relevant entertainment proposed at the premises.

The Sensitive Premises Presumption

The presumption of refusal will be regarded as being enhanced if the proposed SEV is within 750 metres of the following Sensitive Premises:

- 1) schools, play areas, nurseries, parks, swimming pools and other sports facilities
- 2) cinemas, theatres and concert halls
- 3) libraries and museums
- 4) premises likely to be frequented by people under 18 or families
- 5) public buildings including Council offices
- 6) retail shopping areas
- 7) residential areas (including care and nursing homes and other elderly accommodation)
- 8) places of worship, celebration or commemoration
- 9) community centres
- 10) services (including businesses and charities) focussed on supporting women, children and young people, such as women's refuges
- 11) services (including businesses and charities) focussed on supporting homeless people, people with substance abuse issues, mental health issues, or other vulnerable people
- 12) historic buildings or tourist attractions
- 13) roads, footpaths and other access routes to any of the above
- 14) medical centres (including hospitals and GP surgeries)

In determining whether or not the Sensitive Premises Presumption applies, the Council will also have regard to:

(a) Whether any SEVs are already operating, or have operated, in the Relevant Locality (whether under a SEV Licence, under the 'Occasional Exemption', or with a Waiver);

(b) Whether there have been reports to the Police or Home Office of incidents within the Relevant Locality (whether or not leading to prosecution or conviction) of human trafficking or exploitation, or breaches of immigration laws by the Applicant or anyone else concerned with the proposed SEV;

(c) Whether there have been reports to the Police of incidents within 50 metres of the proposed SEV (whether or not leading to prosecution or conviction) of crime (including sexual assaults or minor harassment) or anti-social behaviour:

(d) The existing character and function of the area in which the SEV is to be located; and

(e) The views of residents and other relevant interested persons as far as is possible.

The Sensitive Premises Presumption is a rebuttable presumption. Each application will be determined on its own merits.

GROUNDINGS FOR REFUSAL

(a) that the applicant or, where the applicant is a person other than a natural person, any director of it or any partner in it or any person responsible for its management, is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;

(b) that, if the licence were to be granted or renewed, the business 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) that the number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the local authority consider is appropriate for that locality;

(d) that the grant or renewal of the licence would be inappropriate, having regard—

(i) to the character of the relevant locality; or

(ii) to the use to which any premises in the vicinity are put; or

(iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

This page is intentionally left blank

Sexual Entertainment Licence Application by New Progress Ltd., at The Mask ,52 Bridge St., Aberdeen AB11 6JN

I refer to the above application .

Officers of this Service were unable to gain entry as the premises are currently closed with no proposed date for reopening. But in discussion with Daniela Nitu, interim Manager, it was evident that the following require to be addressed-

- 1) The appropriate code of conduct for customers to be displayed in prominent areas in the venue and at each customer table in the bar area,
- 2) Minimum of one door supervisor to be at entry/exit and on each performance floor,
- 3) No photography to be permitted,
- 4) The staff welfare policy submitted with the application was generic and not specific to the venue and the activities.

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

5 July 2022

TYPE OF APPLICATION: Grant of Sexual Entertainment Venue Licence (SEV)

APPLICANT: Punch Partnership Ltd

INFORMATION NOTE

Premises: Number 7, 7 Crown Street, Aberdeen

Hours of Operation: Monday to Thursday 11:00 to 02:00, Friday and Saturday 13:00 to 03:00 and 12:30 to 02:00 on Sunday

Is the proposal for full nudity? Yes

Nature of the entertainment: Lap dancing, pole dancing, exotic dancing, strip tease, stage performance, and similar adult and sexual entertainment. Live and recorded music.

DESCRIPTION

Grant of SEV Licence

CONSULTEES

- Police Scotland
- Building Standards
- Environmental Health

OBJECTIONS/REPRESENTATIONS

None

COMMITTEE GUIDELINES/POLICY

Section 45B(7) of the 1982 Act requires that, in carrying out its functions, a local authority must have regard to guidance issued by Ministers.

Scottish Government guidance provides:

Local authorities who have resolved to licence SEVs must determine the appropriate number of SEVs for both their area and for each relevant locality within their area (see paragraph 9(5A) of Schedule 2 of the 1982 Act). Paragraph

9(5)(c) of Schedule 2 allows local authorities to refuse applications on grounds that, at the time the application is determined, the number of SEV in the local authority's area or relevant locality is equal to or exceeds the number that the authority considers appropriate for their area or that locality.

In the Sexual Entertainment Venue Licensing Policy Statement the Committee have designated two localities, namely the City Centre and Outwith City Centre.

The Committee have set a limit of six premises for the City Centre locality and a limit of zero premises for the Outwith City Centre locality.

Under the 1982 Act the Committee has the discretion to refuse applications relating to SEVs if it is considered that the granting or renewal of the licence would be unsuitable, having regard to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. It is expected that when an application for a SEV licence is made, that the applicant will be able to demonstrate that the immediate vicinity, layout, character and/or condition of the premises is appropriate to the relevant entertainment proposed at the premises.

The Sensitive Premises Presumption

The presumption of refusal will be regarded as being enhanced if the proposed SEV is within 750 metres of the following Sensitive Premises:

- 1) schools, play areas, nurseries, parks, swimming pools and other sports facilities
- 2) cinemas, theatres and concert halls
- 3) libraries and museums
- 4) premises likely to be frequented by people under 18 or families
- 5) public buildings including Council offices
- 6) retail shopping areas
- 7) residential areas (including care and nursing homes and other elderly accommodation)
- 8) places of worship, celebration or commemoration
- 9) community centres
- 10) services (including businesses and charities) focussed on supporting women, children and young people, such as women's refuges
- 11) services (including businesses and charities) focussed on supporting homeless people, people with substance abuse issues, mental health issues, or other vulnerable people
- 12) historic buildings or tourist attractions
- 13) roads, footpaths and other access routes to any of the above
- 14) medical centres (including hospitals and GP surgeries)

In determining whether or not the Sensitive Premises Presumption applies, the Council will also have regard to:

- (a) Whether any SEVs are already operating, or have operated, in the Relevant Locality (whether under a SEV Licence, under the 'Occasional Exemption', or with a Waiver);
- (b) Whether there have been reports to the Police or Home Office of incidents within the Relevant Locality (whether or not leading to prosecution or conviction) of human trafficking or exploitation, or breaches of immigration laws by the Applicant or anyone else concerned with the proposed SEV;
- (c) Whether there have been reports to the Police of incidents within 50 metres of the proposed SEV (whether or not leading to prosecution or conviction) of crime (including sexual assaults or minor harassment) or anti-social behaviour;
- (d) The existing character and function of the area in which the SEV is to be located; and
- (e) The views of residents and other relevant interested persons as far as is possible.

The Sensitive Premises Presumption is a rebuttable presumption. Each application will be determined on its own merits.

GROUNDS FOR REFUSAL

- (a) that the applicant or, where the applicant is a person other than a natural person, any director of it or any partner in it or any person responsible for its management, is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- (b) that, if the licence were to be granted or renewed, the business 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) that the number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the local authority consider is appropriate for that locality;
- (d) that the grant or renewal of the licence would be inappropriate, having regard—
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

This page is intentionally left blank

RE: - Application for SEV Licence - Number7 7 Crown Street Aberdeen AB11 6HA

Following inspection, the items noted below require attention
David

1, Emergency Lighting

Additional emergency lighting is required to illuminate the main flights of the escape stair which is entered next to the toilets

Emergency lighting is also required to the VIP section and the steps down from this to central bar area

An emergency light is required to illuminate the directional escape sign above the curtain to changing area at side of stage

2, Fire Escape signage

The sign above curtain should be changed to have an up arrow to show that escape is through to the escape stair beyond (currently arrow points towards bar)

3. Holes to walls and ceilings

Holes were noted to the walls of escape stairs and to ceiling of Ladies toilets, these require to be patched to maintain fire resistance

4, Fire doors held open

It was noted at time of inspection that fire doors were wedged open . Written clarification that this will cease, and that door will be checked as part of safety checks is required

5, Bolts to Final exits

It was noted that there were bolts fitted to final exit push bar doors , these should be removed

6, Step to final exit door

It is noted that fire escape final exit door opens over a step . The edge of step should be painted with a contrasting nosing to aid visual acknowledgement of change in level.

RECOMMENDED

It is recommended that consideration and assessment of the contrasting nosings to internal steps be undertaken with possible improvement to some areas as they may be difficult to distinguish in some lights

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

5 July 2022

TYPE OF APPLICATION: Grant of Sexual Entertainment Venue Licence (SEV)

APPLICANT: Gloryever Limited

INFORMATION NOTE

Premises: House of Ginza, 21 Crown Terrace, Aberdeen
Hours of Operation: Sunday to Thursday 11:00 to 02:00 and Friday and Saturday 12:00 to 03:00
Is the proposal for full nudity? Yes
Nature of the entertainment: Male Go-Go dancing shows , lip syncing shows, cabaret shows, exotic dancing, live music.

DESCRIPTION

Grant of SEV Licence

CONSULTEES

- Police Scotland
• Building Standards
• Environmental Health

OBJECTIONS/REPRESENTATIONS

Police Scotland
Environmental Health
Building Standards
Public x 3

COMMITTEE GUIDELINES/POLICY

Section 45B(7) of the 1982 Act requires that, in carrying out its functions, a local authority must have regard to guidance issued by Ministers.
Scottish Government guidance provides:
Local authorities who have resolved to licence SEVs must determine the appropriate number of SEVs for both their area and for each relevant locality within their area (see paragraph 9(5A) of Schedule 2 of the 1982 Act). Paragraph

9(5)(c) of Schedule 2 allows local authorities to refuse applications on grounds that, at the time the application is determined, the number of SEV in the local authority's area or relevant locality is equal to or exceeds the number that the authority considers appropriate for their area or that locality.

In the Sexual Entertainment Venue Licensing Policy Statement the Committee have designated two localities, namely the City Centre and Outwith City Centre.

The Committee have set a limit of six premises for the City Centre locality and a limit of zero premises for the Outwith City Centre locality.

Under the 1982 Act the Committee has the discretion to refuse applications relating to SEVs if it is considered that the granting or renewal of the licence would be unsuitable, having regard to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. It is expected that when an application for a SEV licence is made, that the applicant will be able to demonstrate that the immediate vicinity, layout, character and/or condition of the premises is appropriate to the relevant entertainment proposed at the premises.

The Sensitive Premises Presumption

The presumption of refusal will be regarded as being enhanced if the proposed SEV is within 750 metres of the following Sensitive Premises:

- 1) schools, play areas, nurseries, parks, swimming pools and other sports facilities
- 2) cinemas, theatres and concert halls
- 3) libraries and museums
- 4) premises likely to be frequented by people under 18 or families
- 5) public buildings including Council offices
- 6) retail shopping areas
- 7) residential areas (including care and nursing homes and other elderly accommodation)
- 8) places of worship, celebration or commemoration
- 9) community centres
- 10) services (including businesses and charities) focussed on supporting women, children and young people, such as women's refuges
- 11) services (including businesses and charities) focussed on supporting homeless people, people with substance abuse issues, mental health issues, or other vulnerable people
- 12) historic buildings or tourist attractions
- 13) roads, footpaths and other access routes to any of the above

14) medical centres (including hospitals and GP surgeries)

In determining whether or not the Sensitive Premises Presumption applies, the Council will also have regard to:

(a) Whether any SEVs are already operating, or have operated, in the Relevant Locality (whether under a SEV Licence, under the 'Occasional Exemption', or with a Waiver);

(b) Whether there have been reports to the Police or Home Office of incidents within the Relevant Locality (whether or not leading to prosecution or conviction) of human trafficking or exploitation, or breaches of immigration laws by the Applicant or anyone else concerned with the proposed SEV;

(c) Whether there have been reports to the Police of incidents within 50 metres of the proposed SEV (whether or not leading to prosecution or conviction) of crime (including sexual assaults or minor harassment) or anti-social behaviour:

(d) The existing character and function of the area in which the SEV is to be located; and

(e) The views of residents and other relevant interested persons as far as is possible.

The Sensitive Premises Presumption is a rebuttable presumption. Each application will be determined on its own merits.

GROUNDS FOR REFUSAL

(a) that the applicant or, where the applicant is a person other than a natural person, any director of it or any partner in it or any person responsible for its management, is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;

(b) that, if the licence were to be granted or renewed, the business 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) that the number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the local authority consider is appropriate for that locality;

(d) that the grant or renewal of the licence would be inappropriate, having regard—

(i) to the character of the relevant locality; or

(ii) to the use to which any premises in the vicinity are put; or

(iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made

This page is intentionally left blank

OFFICIAL

30 March 2022

Your Ref:

Our Ref: 622738

Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Marischal College
Broad Street
Aberdeen



North East Division
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Sir/Madam,

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982
APPLICATION FOR GRANT OF A SEXUAL ENTERTAINMENT VENUE
LICENCE**

**APPLICANT: JOSEPH CHONG, B.12/11/1981
HOUSE OF GINZA, 21 CROWN TERRACE, ABERDEEN, AB11 6HD**

I refer to the above application for the grant of a Sexual Entertainment Venue Licence and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

However, in terms of paragraph 9(5)(c) of Schedule 2 of the Civic Government (Scotland) Act 1982, I make the following representation in relation to the application.

The application has been processed by the Police Service of Scotland and routine checks were carried out which showed that the 'City Centre Locality', the relevant zone for such venues, currently has six SEV's operating which is the upper limit as permitted by the Licensing Committee.

In granting this application, the maximum number of SEVs for the relevant locality, as currently agreed by the Licensing Committee, will be exceeded.

This representation is brought to your attention when considering this application.

OFFICIAL

OFFICIAL

Yours faithfully

Kate Stephen

T/Chief Superintendent

For enquiries please contact the Licensing Department on 01224 304154

OFFICIAL

SEV Licence Application 21 Crown Terrace

Building Standards have inspected the premises and would note the following

- 1,** Emergency lights could not be tested to property nor stairs
Stairs had some on charge others not (shared escape) .Witnessing of emergency light test will be necessary
- 2,** suggest direct signs as long escape route down stair (note possibility that this will become a manned entrance)
- 3,** Other doors to shared stair doors have issues with gap at bottom door and plasterboard not sealed , potentially fire risk to stair .
This requires fixing but is to other owners' property
- 4,** push bar required for escape doors plus signage. It should be noted that some locks currently on escape doors are unacceptable
- 5** final exit doors difficult to open and open inwards these need to be managed/ locked open during hours of operation (may be a manned entrance)
Written clarification of how this will be managed is required
- 6,** Sanitary provision is 1 WC 1 urinal (Male) 2 female WC I have noted the requirement for sanitary provision below for guidance.
For 120 persons (say 60/60) provision according to table would be more like 1 WC 2 urinal male and 4 WC female
It is noted that this is an existing premise ,please justify sanitary provision and any increase in numbers to be provided

3.12.5 Provision for public in entertainment & assembly buildings

It is not realistic to include every type of [entertainment building](#) and [assembly building](#) in the table below. Basic assumptions and reasonable deductions have to be made that best apply to the development under consideration. Provision should be in accordance with the following table:

Table 3.8. Number of sanitary facilities for the public in entertainment and assembly buildings

Building type [2]	Sex	Number of people	Number of WCs [1]	Number of urinals [1]
-------------------	-----	------------------	-------------------	-----------------------

Public houses and licensed bars [10, 11]	male [9]	1-75	1	2
		76-150	1	3
		over 150	plus 1 for each extra 150 males, or part thereof	plus 1 for each extra 75 males, or part thereof
	female [9]	1-10	1	
		11-25	2	
		over 25	plus 1 for each extra 20 females, or part thereof	

7, Contrasting nosings may be required to steps (determined following inspection under Emergency lighting)

8, Clarify that all debris etc from stairs will be cleared

9, Loose electrical cabling noted above door and in corner of the escape stair , this and any other areas require to be rectified

10, Copy of Electrical certification required

11, Please be advised that building warrant may be required for any changes to premises

Application for SEV Licence by Gloryever Ltd. for House of Ginza , 21 Crown Terrace, Aberdeen

I refer to the above application .

The venue was visited on 06/04/22 by Officers of this Service and can advise that the following requires to be addressed-

1. .The appropriate code of conduct for customers to be displayed in prominent areas in the venue including customers' tables, the performance area and the bar area,
2. .The performers changing area must be secure and private,
3. .Performers to be dressed in external public areas,
4. .There must be a secure and separate area for staff whilst smoking outside,
5. .There must be door stewards on each floor where performances take place,
6. .Welfare policy to be added to and made specific to premises.

Best wishes,



Andrew Gilchrist | Principal Environmental Health Officer

Aberdeen City Council | Commercial Team | Operations and Protective Services | Operations | Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522720

www.aberdeencity.gov.uk | Twitter: @AberdeenCC | Facebook.com/AberdeenCC

This page is intentionally left blank

Dear Sir or Madam.

we strongly object to GINZA application for a SEVH licence. This ~~is~~ not a venue we care to have in the street.

The level of noise is a concern, at night. as it is, coming from a venue next door, and with GINZA being so close, more people gathering out side will only worsen the situation, and is very worrying.

Yours faithfully.

This page is intentionally left blank

Licensing — Legal
Services
Aberdeen City Council
Business Hub 6 LIS
Marischal College
Aberdeen
ABIO IAB

12th April 2022

Dear Sir/Madam,

We refer to an application for a Sexual Entertainment Venue (SEV) licence by House of Ginza, 21 Crown Terrace, Aberdeen.

In preparing this note of objection, we have noted the recently approved Council Policy on such venues.

We note that the appropriate upper limit for this city centre location is six premises. We are unsure if this number would be exceeded were the application to be successful.

In terms of the character and vicinity of the locality, Crown Terrace is a largely residential street containing three Christian churches and a mosque. There is also a dance school for young people in the street. These are all within 750 metres of the proposed SEV. There are no security cameras in the Terrace. We have in the past had problems with a late night drinking and adult entertainment establishment in terms of rowdy behaviour, noise and vandalism. Ultimately that establishment was forced to close.

There is a late night Sports Bar nearby but even without 'adult entertainment' being involved, we are frequently woken at night by loud, rowdy customers either leaving that bar or congregating outside to smoke. Without casting blame on any one establishment there was a recent incident of large scale vandalism to parked cars in the Terrace. This incident was reported to the police. Littering, public urination, shouting and fighting are examples of anti-social behaviour regularly experienced by us and other residents.

We note that the applicant has chosen not to apply for an Occasional Use permit which implies that 'Sexual Entertainment' is to be a primary function. There are a number of similar establishments down the steps on Bridge Street with which we have no major concerns. Unlike Crown Terrace, Bridge Street is generally busy, well-lit, less residential and much more 'suitable' for such venues.

In conclusion, despite being in the City Centre, we consider Crown Terrace to be a completely inappropriate location for a SEV and trust that your team will agree.

Yours faithfully,

This page is intentionally left blank

Licensing — Legal
Services
Aberdeen City Council
Business Hub 6 LIS
Marischal College
Aberdeen
ABIO IAB

12th April 2022

Dear Sir/Madam,

We refer to an application for a Sexual Entertainment Venue (SEV) licence by House of Ginza, 21 Crown Terrace, Aberdeen.

In preparing this note of objection, we have noted the recently approved Council Policy on such venues.

We note that the appropriate upper limit for this city centre location is six premises. We are unsure if this number would be exceeded were the application to be successful.

In terms of the character and vicinity of the locality, Crown Terrace is a largely residential street containing three Christian churches and a mosque. There is also a dance school for young people in the street. These are all within 750 metres of the proposed SEV. There are no security cameras in the Terrace. We have in the past had problems with a late night drinking and adult entertainment establishment in terms of rowdy behaviour, noise and vandalism. Ultimately that establishment was forced to close.

There is a late night Sports Bar nearby but even without 'adult entertainment' being involved, we are frequently woken at night by loud, rowdy customers either leaving that bar or congregating outside to smoke. Without casting blame on any one establishment there was a recent incident of large scale vandalism to parked cars in the Terrace. This incident was reported to the police. Littering, public urination, shouting and fighting are examples of anti-social behaviour regularly experienced by us and other residents.

We note that the applicant has chosen not to apply for an Occasional Use permit which implies that 'Sexual Entertainment' is to be a primary function. There are a number of similar establishments down the steps on Bridge Street with which we have no major concerns. Unlike Crown Terrace, Bridge Street is generally busy, well-lit, less residential and much more 'suitable' for such venues.

In conclusion, despite being in the City Centre, we consider Crown Terrace to be a completely inappropriate location for a SEV and trust that your team will agree.

Yours faithfully,

This page is intentionally left blank

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing
DATE	5 July 2022
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Appointment of Members to Licensing Sub-Committee and Taxi and Private Hire Car Consultation Group
REPORT NUMBER	COM/22/093
DIRECTOR	Gale Beattie
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Mark Masson
TERMS OF REFERENCE	7

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to re-establish the Licensing Sub-Committee and thereafter determine compositions and make appointments to the Licensing Sub-Committee and the Taxi and Private Hire Car Consultation Group under the Committee's remit.

2. RECOMMENDATIONS

That the Committee:-

- 2.1 agree to re-establish the Licensing Sub-Committee and agree the composition and appoint a Convener and members to the Licensing Sub-Committee in accordance with the proposed composition at 3.4 of this report; and
- 2.2 agree the composition and appoint a Chairperson and elected members to the Taxi and Private Hire Car Consultation Group in accordance with the proposed composition at 3.4 of this report.

3. CURRENT SITUATION

- 3.1 Council at its Statutory Meeting on 18 May 2022 noted that the relevant committees would deal with the re-establishment of their sub-committees and agreed to refer consideration of the composition of the Taxi and Private Hire Car Consultation Group to the Licensing Committee to determine.
- 3.2 The Committee is requested to set the membership of the Licensing Sub-Committee in accordance with Standing Order 47.10, noting that the previous number of elected members on the Sub-Committee was five.

- 3.3 The Committee is requested to set the membership of the Taxi and Private Hire Car Consultation Group, noting that the previous number of Councillors on the Consultation Group was five.

Compositions

- 3.4 Council at its meeting on 18 May 2022, noted possible compositions for sub-committees and working groups:-

Number of Members	Composition
5	2 SNP, 1 Liberal Democrat, 1 Labour and 1 Conservative
7	3 SNP, 1 Liberal Democrat, 1 Labour, 1 Conservative, and 1 Independent

Licensing Sub-Committee Remit

- 3.5 The remit of the Licensing Sub-Committee is to determine any application referred to it by the Licensing Committee for the grant, renewal, revocation, variation or suspension of any licence; and to determine any urgent business placed before it by the Chief Officer - Governance or Chief Officer – Early Intervention and Community Empowerment relating to any matters falling within the remit of the Licensing Committee.

Taxi and Private Hire Car Consultation Group

- 3.6 The Taxi Consultation Group is a Working Group of the Licensing Committee. The Consultation Group has the following membership: 5 Elected Members; and 11 representatives of the taxi trade of whom 1 will represent the airport operators and licensed taxi offices. The Disability Equity Partnership will also send 1 representative as a member of the Group. Additional attendees will include a Licensing Enforcement Officer, the Fleet Services Manager and a solicitor representing the licensing function. Other relevant representatives will be invited to attend meetings on an ad hoc basis. Taxi trade members must represent a specific and recognised interest group. It will be understood that the representatives will report to their members after meetings.
- 3.7 In terms of the remit of the group, it will meet three times yearly and will act without any powers but will discuss matters of relevance to the taxi trade at the discretion of the Convener and make recommendations to the Licensing Committee as appropriate.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations contained in this report.
- 5.2 Under Section 56 of the Local Government (Scotland) Act 1973, the Council may arrange for the discharge of any of its functions by a Committee or a Sub Committee. Any such committee may appoint one or more sub-committees
- 5.3 The Taxi and Private Hire Car Consultation Group is not a committee or a sub-committee and has no decision making powers.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

- 7.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Level	*Target Risk Level (L, M or H) <small>*taking into account controls/control actions</small>	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No significant risks identified against this category			
Compliance	If appointments are not made to certain sub-committees, Council will not be able to consider appeals as required by Council procedure or legislation, as appeals cannot be considered by the parent committee.	Committee agrees the appointment of members to sub-committees	L	Y
Operational	Increased business at parent committees	Committee agrees the appointment of members to sub-committees	L	Y

Financial	No significant risks identified against this category			
Reputational	No significant risks identified against this category			
Environment / Climate	No significant risks identified against this category			

8. OUTCOMES

8.1 The proposals in this report have no impact on the Council Delivery Plan or Local Outcome Improvement Plan.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Assessment Impact	Full impact assessment not required.
Data Protection Impact Assessment	Not required.

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES

11.1 None

12. REPORT AUTHOR CONTACT DETAILS

Name	Mark Masson
Title	Committee Officer
Email Address	mmasson@aberdeencity.gov.uk
Tel	01224 522989

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	5 July 2022
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Back Wynd Taxi Rank Proposal
REPORT NUMBER	COM/22/088
DIRECTOR	Gale Beattie – Director of Commissioning
CHIEF OFFICER	Fraser Bell – Chief Officer - Governance
REPORT AUTHOR	Sandy Munro
TERMS OF REFERENCE	17.3

1. PURPOSE OF REPORT

- 1.1 This report provides the Committee with the results of the consultation with Police Scotland, Aberdeen City Council Roads Department, the City Centre Masterplan Team, the taxi trade and the general public on the reinstatement of the taxi rank at Back Wynd.

2. RECOMMENDATION(S)

That the Committee:

- 2.1 Considers the Consultation responses in Appendices 1, 2 and 3; and
- 2.2 Agrees to install a rank on Back Wynd for the number of vehicles and operating hours considered appropriate.

3. CURRENT SITUATION

- 3.1 At the meeting of Full Council on 28 February 2022 officers were instructed to undertake a consultation exercise with respect to the reinstatement of the taxi rank on Back Wynd.
- 3.2 A public consultation was held online between 9 May 2022 and 10 June 2022 and was advertised on the Council's social media channels as well as being circulated to the taxi trade. Opinions were also sought directly from the Council's Roads Department as well as Police Scotland.
- 3.3 A total of 148 responses were received and are attached as Appendix 1 to this report. The vast majority of responses were in favour of the rank being reinstated.

- 3.4 There appears to have been a misconception that the rank was previously operational 24 hours and a number of responses have sought for that to be the case. For the avoidance of doubt, the operating hours that were consulted upon were the hours during which the rank previously operated. Once the section of Union Street is reopened to taxis the night-time ranks on Union Street which were never formally removed can be immediately reopened and cater for the demand between midnight and 5am.
- 3.5 The responses from Police Scotland and the Council's Roads Department are also attached as Appendix 2 to this report. The Roads Department are seeking a slight reduction on the number of vehicles to be accommodated by the rank.
- 3.6 A response from the City Centre Masterplan team is enclosed at Appendix 3 to this report. This response also seeks a slight reduction on the number of vehicles to be accommodated by the rank.
- 3.7 In the event the committee decides to reinstate the rank, the road markings and signage will be replaced by the Council's Roads department. The timescale for reopening of the rank will depend on that for the reopening to taxis of the section of Union Street to which Back Wynd connects.

4. FINANCIAL IMPLICATIONS

- 4.1 There may be a financial implication involved in reinstating the road markings and signage relating to the rank which will require to be met from existing budgets.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
----------	-------	---	---	---

Strategic Risk	No significant risks identified.			
Compliance	No significant risks identified.			
Operational	No significant risks identified.			
Financial	No significant risks identified.			
Reputational	No significant risks identified.			
Environment / Climate	No significant risks identified.			

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
	The proposals in this report have no impact on the Council Delivery Plan

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required
Other	None

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES

11.1 Appendix 1 - Public consultation responses

11.2 Appendix 2 - Consultation responses from Police Scotland and Aberdeen City Council Roads department.

11.3 Appendix 3 – Response from City Centre Masterplan Team

12. REPORT AUTHOR CONTACT DETAILS

Name	Sandy Munro
Title	Solicitor
Email Address	AleMunro@aberdeencity.gov.uk

	A	B	C
1	What is your name? - Name	What is your organisation? - Organisation	It is proposed that the Taxi Rank formerly situated on Back Wynd, Aberdeen be re-instated with capacity for 15 vehicles and is to be operational from 05:00 to Midnight 7 days per week. Do you have any comments or objections to this proposal? - Answer
2	christopher douglas	Aberdeen taxis ltd	Can the public be made aware of the reinstatement of the rank via social media? The rank being put back in place will be welcomed by the trade
3	Kegan Stewart	Bar	Yes but keep union steet closed
4	Umar Farook	Bussiness	Yes , definitely. When council decided to remove the Rank , council didn't consult the public .
5	fiona rennie	City Centre Community Council	I went to the recent public consultation regarding the Belmont Quarters. Where there were 2 proposals for the Taxi Rank if Union Street is open or closed. I can see here this is asking the Taxi Rank to be reinstated. But in the Belmont Quarter Consultation, it says they are reinstating the 2 disabled parking bays in Back Wynd. I think this would reduce the 15 vehicles and it would be good to see 15 Taxis in the diagram. It's confusing at the moment with all this going on and a lot of answers have not been resolved. It would have been good having a couple of questions if this happens or that happens. But I feel we are being asked for something that is going to change in the future. Not resolving an issue that needs addressing. We need a Taxi Rank in the centre of town but how can we make it manageable for the public safety.
6	Keith Edment	Door Supervisor	Yes it should be open later than what is proposed. It is currently very difficult for people of age and people with a disability to get all the way down to castle gate to get a taxi as a Door Supervisor having to tell them they need to walk all the way down to G Casino to get a taxi is shocking and there needs to be closer taxis to Belmont street and surrounding areas at night for aberdeens nightlife
7	Elizabeth Brown	Driver	About time
8	Carron Stephen	Full time mum	None at all should stay the same to have taxi there at all times for shippers
9	Sithy Aneesa	Home maker	Yes , definitely. I don't want to explain why .
10	Karen Elrick	Housewife	It needs to be open. It is a central location. Nobody knows whete to go for a taxi now
11	David Wilson	Independent	About time to
12	jerry MACKENZIE	JERRYCAN INC	I do not approve as this becomes a rowdy site!
13	Alyssa Fischer	JNCC	24/7 or later hours into the night (until 2 or 3am) would be a more useful service to protect public safety, especially amongst vulnerable young women and university students

	A	B	C
			<p>Whilst I have no real objection to the return of the rank per se, I have a number of questions.</p> <p>1) Delivery access. I have a loading hatch on Back Wynd which I need access for a couple of times per month. We also need access for loading and unload from the shop at 2 Little Belmont Street on a daily basis. With Little Belmont St closed where are we supposed to park up for loading?</p> <p>2) Safety. Over the past 2 years since the taxi rank has been removed the number deliveroo Street pickups on Back Wynd has increased exponentially. This will only cause grievances and 'hostile' interactions. Also, the number of bikes and other going the 'wrong way' up Back Wynd and onto Schoolhill has so increased massively... This an accident waiting to happen.</p> <p>3 Access to Belmont St . Currently all vehicles are being routed round Gaelic Lane If the taxi rank returns and operates as before there won't be enough room for larger vehicles or even some cars to negotiate this opening. This will ultimately lead to massive tail backs and I increased temperature Little Belmont St really needs to reopen to allow a free flow.</p>
14	Ian Cukrowski	MacBeans	
15	Farook sundaramoorthy	Marketing	Yes , need to be open .
16	Jill Bowie	Member of ublic	I think it should definitely be reopened
17	Kerry	Member of public	This should come back for safety for women on nights out as taxi ranks are not easily accessible right now or in safe to be spaces to wait
18	Val Beasley	Member of the public	Yes. Why stop at midnight? As venues begin to open up past midnight, I believe that there needs to be numerous ranks situated off Union Street to help keep people safe.
19	Ian Riddoch	Member of the public	The taxi rank rank needs re-instated 24/7. It was used frequently by disabled and older people during the day. It is in a central location for picking up from the city centre and easier and safer to get to than other ranks in the city.
20	Roy McHardy	N/a	Open 24hrs as it is the biggest rank in Aberdeen and well known by the general public.
21	Faith Black	N/A	About time too! I'd like to see it open 24/7.
22	Sheila Gordon	N/A	Sounds good to me. I have mobility issues and the closure of Union Street has made life very complex for me. Really wish it could be opened up so that buses can run again and I can get from one end of Union street to the other and also make connections. Currently, I would not go to the theatre because getting home would be a problem but with a taxi rank within striking distance of the theatre, I might be tempted back. During the day I can only get to Bon Accord St Nicholas with ease and can't carry heavy bags so have to visit town twice a week to get all my needs. I could go further and get a taxi home if Back Wynd rank was open
23	Graeme Goonan	N/A	The current taxi situation in Aberdeen city is ridiculous where comments are made there are too many taxi's but in the evenings and weekends there are very little. The re-opening of Back Wynd would at least assist in the public of the city to know where they can get a taxi
24	Amy Smith	NA	It is really nice having the space for pedestrians! Traffic used to (illegally) use Back Wynd as a cut through - this must be addressed properly

	A	B	C
25	Michelle Gavin	Na	I want this taxi rank to return. It was much missed Hadden St was never safe
26	Kim Walsh	Na	Where will the alternative taxi rank be situated to ensure people after midnight get home safely. Many bars in the area and people work 24/7 too. Restrictions may increase risk to peoples safety who may opt to walk home. Stupid idea and what difference does it make to the council. Another made up stupid suggestion.
27	Natalya	Na	Great idea! 12midnight could this be extended at weekends?
28	Neil Pirie	Neil's wheels taxi service	No objection whatsoever best place for a rank in Aberdeen easy access to all areas of the city and public are well used to rank location far better for disabled and elderly residents Shiprow absolutely no use as a rank totally unacceptable as a rank to far away for infirm residents should never have been considered as a rank in the first place
29	Casey Sarah-Jane	nhs	Should be 24/7. No use as clubs or late night bars are open till 2/3 am.
30	Claire McKay	NHS Grampian	Absolutely in favour of this, there's a big gap between the two closest taxi ranks and I think this would be a huge asset to the town centre.
31	Roderick Kennedy	None	Get it back asap
32	Caroline Beedie	None	Bring life back to our city centre and open up our streets and taxi ranks. There was no problem with it before so why change it. Why only from 5am it was always a 24 hour taxi rank, you always knew where to get a taxi in Aberdeen, can definitely not say that now, people are at risk now wandering around the city looking for taxis while under the influence , this was most peoples go to rank.
33	Audrey Ewen	None	Yes it should be open as it's best for the elderly and disabled people and people that can't walk to far
34	Giles Gordon	None	Yes it should be how it always was,, 24/7,clubs don't come out until after midnight. This is the 21st century not the 18th, move with the times Aberdeen is lucky,, elsewhere in the UK, taxi sharing is normal where as no taxis isn't
35	Eleanor Low	None	Agree this well used and easily accessible rank should be reinstated Presently the public have no idea where there is a taxi rank and gave to resort to phoning one but you have to be somewhere that they can drop off and pick up Disabled people have minimal access to city center
36	Diane Porter	None	Please let this go ahead. It's much safer to have organised licensed taxis than not.
37	Darren Stuart	None	Does this plan also include opening up union street to traffic again? Otherwise how do the taxis get out? I don't think 12am is late enough, busiest period for taxis is when pubs and clubs close and that's when they are needed in that area. Why implement a time limit, what use does that serve?
38	Alison Adams	Not applicable	Definitely needs reinstated. Should be reinstated 24hrs 7 days a week as previously. Surely it will get plenty trade after midnight from clubs ,pubs coming out.
39	Webster Arthur	Owner driver	At last someone is listening to the drivers
40	Neil Robertson	PCV Training Aberdeen	I think this is a great idea
41	Craig Lumsden	Personal	Great idea. The taxi rank is massively missed.
42	Colin West	Personal Response	Reinstating the Rank would be critical for restoring access to this area of the city centre for Disabled and Elderly People in the Absence of Bus Access to the Central portion of Union Street (Which should also be reinstated along with Union Street being reopened to all Vehicles but that's for a different consultation)

	A	B	C
43	Peter Thomson	Private Citizen	Great idea but why close at midnight? There are quite a few licenced premises that operate late hours around that area, where are their customers supposed to get taxis? Please re-open the rank on its normal 24/7 basis.
44	John Prescott	Private citizen	I support it
45	Risan Rafeek	Public Transport	Yes it's need to be re- instated for the sake of Public and the Taxi Drivers .
46	Russell McLeod	Rainbow Cars Limited / Rainbow City Taxis	Most sensible suggestion
47	Gary Forbes	Rainbow City Taxis Driver	This needs reinstated asap. All the council has done is confuse people and moved a major rank to a very dodgy location as in Hadden Street. If you are a visitor to Aberdeen Back Wynd is very central.
48	Simpson Simpson	Retired	Definitely needed. Especially for the disabled. Such a handy spot. Helps with the safety of people heading home later at night.
49	Niranjan	Sales	Yes , need to be open . Where the ranks are , every day changes
50	Irfan mohamed	Sales	Yes . Without a doubt Must be open
51	Colin Godfrey	Self	Would be happy for back wynd to be reopened.
52	Ian Meldrum	Self employed	Best news I've heard for a long time.(Yes open it up)
53	James singer	Self employed	No objections it is needed to accommodate the pedestrian area that is in place
54	Kevin sherwin	Self employed taxi driver	We taxi drivers have suffered dramatically with the moving of various ranks across the city. On first of March the rank on hadden street was moved to outside G casino. A taxi driver on that morning sat for 4 hours before getting a fare. People 22 months after back wynd closed still flag me down in the city and say they went to back wynd but it was closed and had no idea where to get a taxi. Back wynd is the centre of the city and with union street hoping to be taxi and bus friendly it makes sense to reopen the street to a taxi rank.
55	Bertie Tommy	Self employed taxi driver	Yes reinstate back wynd rank the amount of customers that have complained that the council forgot about ranks during spaces for people
56	Paul Gordon	Self employed taxi driver	This would be great for the public in Aberdeen and also the taxi trade. The convenience of this taxi rank serving all the bars restaurants and shops in the area has been very sorely missed over the last two years and would certainly encourage people back into this part of town.
57	Derek Duguid	Street car	About time it was reinstated
58	Nadha murssith	Student	Yes , How can I find the Rank in taxi . Need to walk miles . Please open the backwynd.
59	Abdul Mujeeb	Student	Yes , need to be re-instated , it's been pain finding the taxi rank .
60	Gary	Taxi	This would be a great asset to the city centre. The bottom end of the city lacks in places for people to get a taxi, and was always a well used rank.
61	Michael Smith	Taxi	Would like it opened public need it there
62	Manimaran	Taxi	Yes , need to be open .

	A	B	C
63	Risan Rafeek	Taxi	Yes , Without a doubt. Must be open
64	Gary Mair	Taxi	Couldn't come soon enough. Possibly regarded as the best known and most popular rank by the people of Abdn. Taxis also need the rank space as limited space since covid restrictions. I'd hope that the "late rank" on Union St at the graveyard will also be operational from midnight to 5am.
65	Jacqueline Aitken	Taxi driver	No objections, back wynd should be re-opened
66	Kathleen Shepherd	Taxi driver	Back wynd needs to come back as it our busiest rank in town. Everyone knows where it is and very central
67	Raymond Flood	Taxi driver	No objections. The rank should be reinstated as there is a shortage of ranks in that area with the hadden rank being closed
68	Alan Norval	Taxi driver	After 2 years of being shifted to other locations that don't work for the taxi drivers and the public especially the disabled it is not in the public interest to be closed any longer
69	James Lumsden	Taxi driver	No objection
70	Mark Hutcheon	Taxi driver	This is a much needed taxi rank and has been missed since it was shut due to the pandemic. It's important to have a taxi rank there so it can serve the public that are shopping on Union Street or the Bon Accord Centre. It's also vital to taxi drivers as they need taxi ranks where the public need them So that they can make a living.
71	Ray wood	Taxi driver	No objections please open asap.
72	Steven Leiper	Taxi driver	Reinstatement of this rank is imperative for the public. I hear almost on a daily basis that the closure of this city central rank has seen people traipse to Dee St and (formerly) Hadden St ranks. This may not be a big deal to some but Back Wynd is central for shoppers to Trinity, Bon Accord and St Nicholas centres and other business. Since covid restrictions were implemented, which included the Back Wynd closure, taxi rank convenience around this area there has been no real alternative - any new location of a prominent rank should accommodate the same or more spaces, be of a central location and sited close to the length & entirety of Union St, having conveniently sited ranks are for the benefit of travelling public who use the city centre, we cannot lose sight of that. When the aim is in attracting the public to and around the Belmont St area is this not one of many reasons to why the Back Wynd should be open again?
73	Scott Mitchell	Taxi driver	I think the back wynd is instrumental to not only taxi drivers but also to the general public as a whole....It was the main hub of the city centre for people from all areas to get a taxi.... It was accessible to the elderly who find it extremely difficult to walk to the other ends of union street for a taxi.... At the moment the closest rank is at Shiprow and the next closest rank is at Dee Street. For people who are shopping in the city, especially the elderly have reported to me that they find it very difficult to access these ranks.
74	Anne Campbell	Taxi driver	This would benefit the public and taxi driver as the public are having great difficulty finding taxi this rank is the most important rank in the city centre and the most used by disabled people

	A	B	C
75	Duncan Marr	Taxi Driver	It has been the most popular rank I have known in 36 years as a driver people know exactly where to go for their taxi especially older people, People keep asking me where the nearest taxi ranks are and when I tell them there replies are shocking
76	Ashley Canale	Taxi driver	Its about time this was re instated the amout of Aberdeen public that doesnt Inow where the ranks are is incredible
77	Robert Eden	Taxi driver	Get it full open as one off the best and buy taxi ranks in city centre before covid
78	Graeme Moir	Taxi driver	With all the nightlife why close at midnight ? Where is the next available rank, are you re installing the union Street night time rank beside Market Street?
79	Alastair Hepburn	Taxi driver	Long over due quicker the better it opens up.
80	Graham McLeod	Taxi Driver	It should be made for more taxis and its only going to be buses and taxis on union st
81	Stephen bennett	Taxi driver	No I am a taxi driver and we do need more ranks closer in on Union st. Also I was a yellow plate disabled access for 15 years my vw caddy disabled access was 5 years old this year so I needed a new car and we have to go electric for city centre and I can't get disabled electric car for yellow plate as manufacturers don't make them only one levic at £65000 not possible to afford for Aberdeen city taxi drivers. I bought MG5 estate fully electric fantastic car perfect for city but you will only let me use it on a PH plate so I had to surrender my yellow plate so I can't use taxi ranks with my fully electric green environmentally taxi which I do like please also do something for us taxi drivers that are prepared to switch and paying out the money to do so but you are preventing us from using the ranks.
82	Brian Catto	Taxi Driver	For the sake of the city centre we need this rank back in operation
83	Sean Paterson	Taxi driver	No not at all it's very much needed
84	John Wilson	Taxi driver	That rank is needed because of its situation in the town centre
85	Stephen Lawrence	Taxi driver	It should be reopened, the shops are suffering because they can't get transport after they've been shopping
86	Allan	Taxi driver	Good idea should never have been closed in the first place
87	Eleanor Leslie	Taxi driver	Yes reopen Back Wynd. Should never have been closed. Total disregard for the public , elderly and disabled removing it. Also for taxi drivers no proper taxi rank when it closed
88	Alan Norval	Taxi driver	The city centre needs the taxi rank reinstated so the people of Aberdeen can at least get back to some sort of normality
89	David Grayson	Taxi Driver	Brilliant idea. The city centre has missed this taxi rank. As a taxi driver, I often have people getting into my taxi and asking where to catch a taxi now Back Wynd is closed. I cannot see a good reason to not reinstate the rank.
90	Stephen Malcolm	Taxi driver	No objections, we need it out of necessity and convenience for the taxi travellers of our fair city.
91	Morrison Gary	Taxi dtiver	No objections
92	Campbell Peter	Taxi licence holder	I think you're safer spaces idea should never have excluded access for buses and taxis and I fully endorse the reopening of the rank on Back Wynd
93	Atholl Wilson	Taxi owner operator	Feel the need to get back into the heart of the city, where i think it will benefit the general public and the trade more.

	A	B	C
94	James forrest	Taxi owner operator	I agree as it has been the main hub for city taxes for the last 100 years and should be reinstated as I have worked all the alternative ranks supplied by the city council as It has been total waste of time as nobody new where the alternative taxi ranks have been put especially pensioners and infirm people who don't want to walk to far to get a taxi or even 300 yards to find a taxi rank it has stopped a lot of people coming into town to do a quick shop and a taxi home to pick up kids from school at lunchtime all this has stopped as there been no consultation with the boys who work the taxi ranks. None at all we have been shifted to backstreets and no signage to say where taxi ranks have been put absolute disgrace but everyone knows where the graveyard is on union street is and that is a good thing is give us back the taxi rank on back wynd and it will give us some type of normality
95	William Moir	Taxi owner/driver	None whatsoever,
96	Jeremy Goodridge	Taxi owner/driver	This rank is part of Aberdeen's heritage and should be reinstated immediately.
97	Jeremy Mark Goodridge	Taxi owner/operator	This has to be done, main reason is that the Back Wynd is a Heritage site and the Taxi rank is a part of this Heritage and therefore should never have been closed in the first place without permission from the Heritage people.
98	Luke Hulse	Taxis	The rank should never of closed. Union Street should reopen fully! Or at least to buses, taxis and private hire vehicles.
99	Nicola Bramley	Turning Point Scotland	Make it easier as no one knows where to get a taxi, there also seems fewer taxis.
100	william rae	Westhill cars	This end of Union street is drastically under provided for & the replacment rank outside the theatre is simply to far away from Union street. I also suggest some for of rank on Union terrace gardens at the Union street end would be ideal. Also the rank Marshall's for the night ranks need to be reinstated asap, I have witness many violent incidents On the ranks at the west end of Union street which could have been avoided with Marshall present
101	Donna wood	wifenof taxi driver	As the rank is the most central in the city centre it would be great to reinstate to taxi drivers and to public.
102	Austin Cruickshank		I think this would be a great idea to open the rank again ,it means if you are in the centre of town you don't need to go down side streets to get to it.
103	George Moir		The rank needs to be re-opened as soon as possible.
104	David Grayson		Brilliant idea as nobody knows where to get a taxi these days. This is a busy and popular taxi rank for a reason.....I always see passengers getting in taxis here and the taxis are always moving down the rank
105	Peter Campbell		No it should be reinstated.
106	Kenny Evans		Yes I think it should be reinstated as not a lot of people know where other ranks are
107	Brian Smith		I think this is the best idea as people have to walk to far at the moment to get to a taxi rank
108	Steven Dawson		The sooner it's back the better for both the taxi drivers and the public
109	Alexis		As a self employed taxi driver i have had scores of complaints from the public about the middle of the city. There are no ranks at this part of town and no publisized onformation as to where ranks are. Back wynd is the obvious place to repoen

	A	B	C
110	Paul Reynolds		This Rank should of been reopened when all other covid measures were removed. It is next to impossible to find a Taxi in the evening and early morning. the currently lack of racks has also caused taxi driver not to work night shift as cant get a space on the ranks, which in turn has caused people to stay home in the evening as they cant get/find a taxi like they could pre covid. Yes I am a Taxi Driver.
111	Philip Wright		That's a good idea
112	Ronnie Saddler		I'll be glad to have the rank open again. No objections.
113	Stella Adam		Sincerely hope this happens. This taxi rank is in ideal place for shopping when in town. Always used it but very rarely go into town now because reduced mobility and too far walk to other ranks
114	Andrew Hanton		I think a taxi rank is required in a central location that is easily accessible and for many decades that was Back Wynd. This is for good reason - it is best location for it.
115	Gordon Downing		It should be reinstated
116	Rosemary Cayuelas		Why midnight? it should be much later (24 hours)for folk out socialising, especially now we are trying to get back to normality after Covid
117	Ross Brechin		Objection - the taxi rank on Back Wynd should be open 24/7
118	Faith Black		About time too! I would want it open 24/7.
119	B. L.		Why just midnight? If pubs and clubs are open until 3am, then surely 24 hrs makes sense?
120	Rachel		No
121	Martin Raitt		Needs to be 24hrs
122	Cruickshank Seona		<p>It is essential that the taxi rank is reinstated, due to the large numbers of bars and restaurants in the immediate vicinity. Both accessibility for disabled people and the safety of bar/restaurant patrons has been negatively impacted by its closure.</p> <p>On the safety aspect, I don't see the logic of closing the rank at midnight, when so many establishments are open later than that, and there are no night buses services running in the Aberdeen City area, even at weekends.</p> <p>We desperately need a taxi rank that is popular enough with drivers to attract them even during slow times, and accessible at at all times so taxi patrons do not have to wander the streets and put themselves in danger walking to a rank that is not in operation.</p> <p>Finally, please communicate any changes to the location and times far more clearly than has been the case in recent years, with easily accessible, UP TO DATE information on the ACC website for those that may only use them occasionally and need to plan ahead due to age/disability etc.</p>
123	Jean Burt		This should be reinstated.
124	Jacky wright		I don't see why it can't be back to operating as normal pre covid
125	Susan Bain		I support re-instating the taxi rank on Back Wynd, Aberdeen
126	ANDREA MURRAY		No objections
127	Tegan Park		Yes I would like this to come back
128	tracy munro		this is totally needed .. at the moment if u are a lone female u have to walk to dee Street or castle gate, which is not very safe ...

	A	B	C
129	Alison		It should be open 24 hrs a day the time you are stating is missing the peak times. Is the council trying to keep everyone away from Union street
130	Fiona Pratt		None
131	Michael mcgregor		Get it reopened
132	Christine Jones		I object to this proposal as I don't think Union street should be re-opened to vehicles so the taxi rank should also not be re-opened.
133	Rebecca Olaleye		The Taxi rank is a valuable amenity especially to those with mobility issues and should be reinstated.
134	Fiona Henderson		I believe it would best serve the public to have the rank operational for 24/7.
135	Wilma Fraser		Glad to see it back in the heart of the city where you don't have to walk for miles to get a taxi
136	Patricia Clark		Please reinstate taxi rank and buses on Union Street.
137	Debbie		I think this is a really good idea
138	Lesley Patterson		Defo needed back it's impossible to get a taxi in the town centre
139	Iain Graham		What about the late night revellers, many pubs or clubs don't shut till later.
140	Ross		If this taxi rank is to be back in action, will the taxi rank down on exchange street be returned to permit parking? We have very little parking in zone F.
141	David Alaita		This proposal is good for Aberdeen businesses. Back wynd taxi rank should be opened. Also the St Nicholas cemetery night taxi rank should be opened from 12 midnight to 5am
142	Laurie		This should be a pedestrian area. Keep taxis out!
143	Kate		I think this would be very beneficial.
144	Alison MacAulay		Get it back. Few weeks back, left union square and headed to hadden street for a taxi - rank closed. Remembered there was possibly one near castle gate, looked like a late night one. Heard something at some point about one at the back of M&S bit no joy. Website told me there was one at hmt - waited there 20 mins and no taxis. Eventually caught a bus home and never felt safe.
145			How does this impact the proposal for a bus & cycle gate at Market Street & Bridge Street? Will taxi's be exiting onto the section of Union Street proposed - making it a bus, cycle & taxi area? How will priorities be managed - will buses, cycles or taxi's have priority to manage traffic flow, road safety and sustainable travel?
146	Michael		Don't like it. Don't really build the indoor market, out a canopy over it and make it a large outdoor space. Expand the rank their and it will naturally become the centre of town.
147	Lucy		I fully support this as I believe Aberdeen needs a better located taxi rank in the city centre that would serve Belmont St and the theatre area.
148	Clemens von Scheffer		Traffic should be kept to a minimum in the city centre. People needing a taxi can easily walk these few metres. Most taxis are not known for careful driving. Union street and the area around Back Wynd should be fully pedestrianised and no motorised vehicles, except delivery for shops and gastronomy, should be allowed. The city of Aberdeen is already known for its poor efforts and infrastructure for active transport/cycling/walking etc. Steps need to be more bold, without everything bring watered down by motorised traffic lobbyism.

	A	B	C
149	Stuart Knapton		Very much in favour

Appendix 2

Police Scotland Response

Are the Union St taxi ranks re-emerging and are ACC in a position to set out the wider plan around taxi ranks and transport strategy in the city centre?

Will taxis be permitted in the section currently pedestrianised between Bridge Street and Market Street?

What are the plans from 0000 to 0500 – are the night ranks being reinstated or are persons to get taxis at the other ranks? Aside from the lighting etc., will adequate signage be in place to direct people to other ranks?

Is there any data available to assess demand for taxis and as such better assess provision?

From a policing perspective, we would generally welcome an increase in taxi ranks to reduce the risk of disorder or violence associated with large queues. However, we would be better placed to give an opinion with more information at hand. From a community safety perspective, the Police would like a reassurance around adequate lighting and provision of Taxi Marshalls at peak times. There is probably no issue with it before 2200 hours but thereafter is where problems arise.

Roads Department Response

Thank you for the opportunity to comment on the proposal to re-instate the Back Wynd taxi rank for 15 vehicles as per the Council instruction of 28th February 2022.

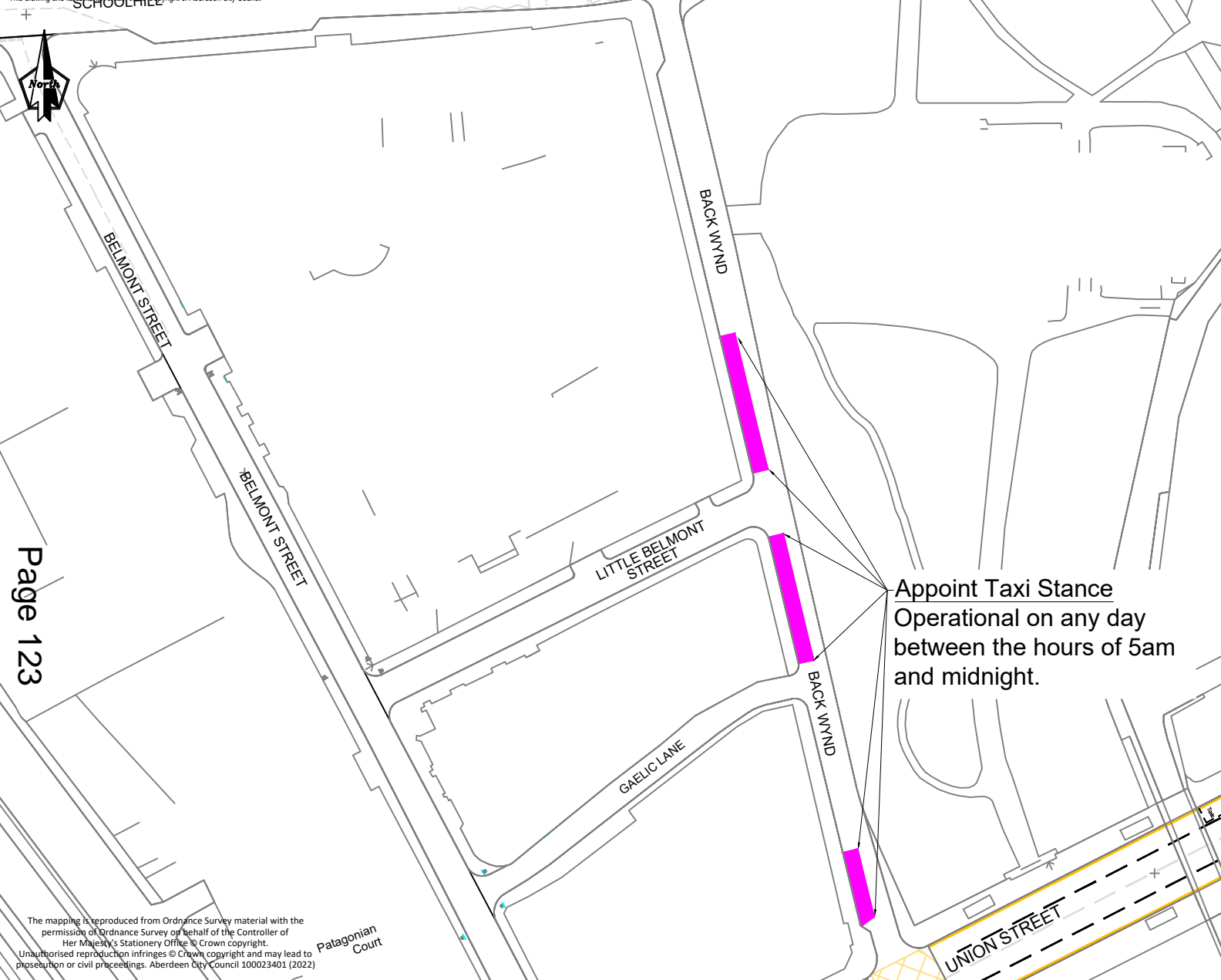
In this regard, I would reiterate the comment (with attached plan) that was previously e-mailed by my colleague Graeme McKenzie.

Further to the request having been made to the Licensing Committee to re-instate the rank, detailed design works have been carried out and it has been determined that servicing vehicles will also need to traverse Back Wynd to access Union Street. As access will be restricted to the hours between 6pm and 10 am, a reduction of taxi rank spaces will be required between those hours. The reduction in spaces is required to allow larger vehicles negotiate a pinchpoint in the carriageway on Back Wynd from the southern kerblines of Gaelic Lane for 25 metres southwards (5no. vehicle lengths). I have attached a plan of the proposals for clarification.

The decision on the servicing arrangements was made by the City Centre Masterplan Management Board, formed to manage the delivery of the overall scheme.

We would ask that consultation is carried out with this variation included.

This page is intentionally left blank



Back Wynd Taxi Stance - Modified extent


Overall capacity for 11 taxis between the hours of 5.00am and midnight.

The above stated capacity is reduced from 15 to 11 taxis when considering the length of stance that previously existed prior to the city centre COVID-19 'Spaces for people' associated measures.

The reduction in capacity is due to a section of Back Wynd (south of its junction with Gaelic Lane) which must be kept clear of waiting vehicles; this due to the reduced width on this section and the necessity to ensure large vehicles can access Union Street by way of Back Wynd for the purpose of loading and servicing. The aforementioned routing of such vehicles being a result of 'Bus Gates' to be established on Union Street at its junction with Bridge Street / Union Terrace (eastern side), and its junction with Market Street (western side).

Appoint Taxi Stance
Operational on any day
between the hours of 5am
and midnight.

The mapping is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes © Crown copyright and may lead to prosecution or civil proceedings. Aberdeen City Council 100023401 (2022)

				Client		ABERDEEN CITY COUNCIL				Drawing Title						
				Project		BACK WYND TAXI STANCE				Back Wynd, Aberdeen Proposed Taxi Stance						
						Operations and Protective Services Traffic Management and Road Safety Business Hub 11, 2nd Floor West, Marischal College, Broad Street, Aberdeen AB10 1AB General Enquiries Telephone: 01224 522305				Modified extent due to Union St 'Bus priority' measures						
Rev		Date								Orig		Chk'd		App'd		Originator
										GM	GM	VS	10/06/22		NTS	A4
										Drawing No.		SHT No.		Revision		
														1		

This page is intentionally left blank

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	5 July 2022
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Street Knowledge Test
REPORT NUMBER	COM/22/147
DIRECTOR	Gale Beattie
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Sandy Munro
TERMS OF REFERENCE	17.3

1. PURPOSE OF REPORT

- 1.1 To seek authority from the committee to seek public opinion on options for amending the Street Knowledge Test by way of a public consultation exercise.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Instruct the Chief Officer – Governance to hold a public consultation on the options for amending the Street Knowledge Test as detailed in Appendix 1; and
- 2.2 Instruct the Chief Officer – Governance to report back to the Committee on 6 September 2022 with the results of the consultation exercise.

3. CURRENT SITUATION

- 3.1 Following a request from the Taxi & Private Hire Consultation Group, the Committee at its meeting on 26 October 2021 instructed officers to investigate possible means of amending the Street Knowledge Test to ensure it remained fit for purpose.
- 3.2 Following a peer review of other local authorities, four possible options have been identified as detailed at Appendix 1. With the exception of options 1 and 2, which are mutually exclusive, any or all of the options can be incorporated into the process if desired.
- 3.3 The purpose of the test is to maintain standards amongst taxi and private hire drivers. It is therefore important to ensure that any changes keep the test as fit for purpose but do not dilute public safety in any way.

- 3.4 The first potential change is to recognise the difference between taxi drivers and private hire drivers. As private hire journeys require to be pre-booked the driver will have a degree of forewarning as to the journey. This could be recognised with a slightly more general test per option 1, or by abolishing the test for private hire drivers altogether per option 2. It should be recognised however that the period of advance warning may be very short, particularly with app-based booking systems, and so a basic knowledge of the city may be useful.
- 3.5 The second change relates to resitting the test. The current test has four sections. An applicant must pass all four sections. If an applicant fails any section, he or she must resit the entire test. Option 3 proposes that where an applicant fails only 1 section, he or she is given one opportunity to resit only that section. If the section is failed again then the whole test must be undertaken at the next sitting.
- 3.6 The final option does not relate directly to the test but to the maintenance of standards within the fleet. That would involve an SQA or equivalent qualification on taxi/private hire driving as is required by several other local authorities in addition to the test itself.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications from this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications from this report.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications from this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	N/A			
Compliance	N/A			
Operational	N/A			
Financial	N/A			
Reputational	N/A			

Environment / Climate	N/A			
------------------------------	-----	--	--	--

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
	The proposals in this report have no impact on the Council Delivery Plan

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not Required
Other	N/A

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES

11.1 Consultation Options

12. REPORT AUTHOR CONTACT DETAILS

Name	Sandy Munro
Title	Solicitor
Email Address	AleMunro@aberdeencity.gov.uk

This page is intentionally left blank

Consultation Options for Street Knowledge Test

1. Amended Test for Private Hire Drivers

In recognition that private hire journeys must be pre-booked and that the driver will therefore have a degree of advance knowledge of the journey to be taken, an amended test could be prepared for private hire drivers. The amended test would examine the driver's knowledge of the city at a more general level than that of the current test recognising that the driver will have a degree of warning of the journey whilst also acknowledging that the advance notice may be extremely brief, particularly in relation to app-based systems.

2. Abolition of the Test for Private Hire Drivers

Expanding on option one, there is an argument that as the journeys require to be pre-booked that there is no need for a test for private hire drivers. As indicated at option one, however, the period of advance notice may be short, and a basic knowledge of the city may be beneficial in such circumstances.

3. Amended Resit Procedures

The present test contains 4 sections which must all be passed. Currently if any section is failed then the whole test must be sat again. An alternative option, where an applicant passes all sections but one, is to allow the applicant one opportunity to resit the failed section only at a reduced fee. If the section is failed again then the applicant must sit the whole test again.

4. Driver Training Qualification

Whilst relating more to maintaining standards than directly to the test, some local authorities require drivers to obtain an SQA qualification on taxi/private hire driving in addition to the test. This could be an option to improve general standards.

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank