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To: Councillor Al-Samarai, Convener; and Councillors Boulton, Copland, Delaney, Lawrence, MacGregor and McLeod.

Town House,
ABERDEEN 25 October 2023

LICENSING SUB COMMITTEE

The Members of the **LICENSING SUB COMMITTEE** are requested to meet in **Committee Room 2 - Town House on THURSDAY, 2 NOVEMBER 2023 at 10.30 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>

JENNI LAWSON
INTERIM CHIEF OFFICER – GOVERNANCE (LEGAL)

BUSINESS

- 1.1. Determination of Urgent Business
- 2.1. Determination of Exempt Business
- 3.1. Declarations of Interest and Transparency Statements

APPLICATIONS AND REQUESTS FOR EXEMPTION FROM POLICY

- 4.1. Grant of a Street Trader Licence - Morad Slama - Whitemyres Avenue North Side, 15m West of Whitemyres Place (Pages 3 - 12)
- 4.2. Request for Exemption from Policy - Street Knowledge Test - Deborah Elrick (Pages 13 - 16)
- 4.3. Request for Exemption from Policy - Street Knowledge Test - Edward Marr (Pages 17 - 20)

4.4. Request for Exemption from Policy - Wheelchair Accessible Vehicle - Lawrence Leaper (Pages 21 - 24)

Website Address: aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Mark Masson, tel 01224 067556 or email mmasson@aberdeencity.gov.uk

LICENSING SUB COMMITTEE INFORMATION SHEET
2 November 2023

TYPE OF APPLICATION: Application for grant of a Street Trader Licence
APPLICANT : Morad Slama

INFORMATION NOTE

Application submitted: 04/08/2023
Determination date: 03/05/2024

DESCRIPTION

Grant of Street Trader Licence

Location: Whitemyres Avenue North Side, 15m West of Whitemyres Place, Aberdeen, Ab16 6HQ
Mr Slama is applying for a hot food van to be placed at the above location. The application was submitted on 4th August 2023; the determination date is 03 May 2024.
Three objections were received by local business owners on the grounds that there are already food vans located in this area and access to the business owners' premises is restricted.

CONSULTEES

- Police Scotland
- Environmental Health
- Roads

OBJECTIONS/REPRESENTATIONS

Public objections X3

COMMITTEE GUIDELINES/POLICY

N/A

GROUND FOR REFUSAL

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

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—
(i)for the time being disqualified from holding a licence, or
(ii)not a fit and proper person to be the holder of the licence;

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

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

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

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

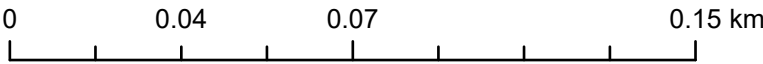
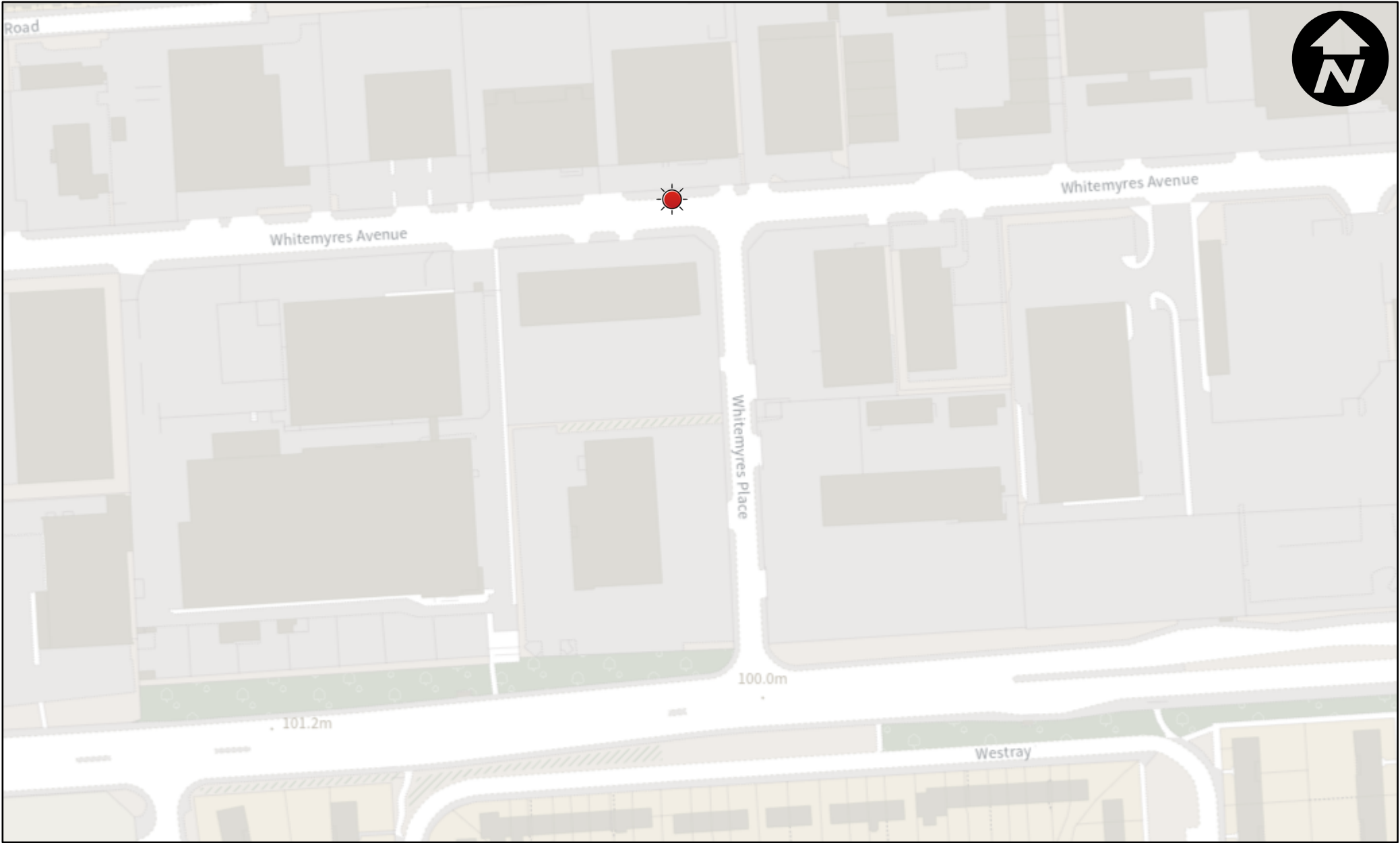
(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

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

and otherwise shall grant the application.



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Objections – M.S

Objection 1

Regarding the proposed Food truck 15mtrs west of Whitemyers place
There is already 3 food trucks here in this road & coupled with the car garages space is at a premium here .

Our customers & our deliveries have a bad enough job getting in & out of here without the added introduction of another food truck straight across from our branch which would be a massive inconvenience to ourselves

So on this basis please accept this as a formal objection to this plan , you are more than welcome to come & see for yourselves

Objection 2

Reasons of objection:

1. Lack of parking space for the local workers. A lot of cars parking there on double yellow lines and pavements as there is not enough space for parking.
2. On that junction there was already few accident due to the lack of space on that junction.
3. Problem for lorry's and delivery vans to get in and out to local companies as Arnold Clark, Royal Mail, Northern heating.

Objection 3

I have concerns about how this would affect the area.

This is a very busy road with many companies around and parking is very limited in this area. Its bad already with many cars parking on the pavements on double yellow lines.

With the lack of space is already this would take away many more spaces for workers in the area which include Royal mail, Arnold Clark, northern heating and many more.

This would also have an effect on the local companies for deliveries and gaining access from the main road.

As it's 15 m from Whitemyres place it's directly across from the junction which would affect many lgv's, arctics and car carriers from turning left and could possibly cause a serious car collision.

There has been many car accidents on this junction already with the lack of space.

This van would only encourage more vehicles to the area and there is no spaces as it is. Where would these cars, van etc stop or park?

Also why would a food van need a licence to 10 pm. Many companies in this area close between 5 and 6 pm.

This would only encourage many youngsters to the area after hours and dark and with the possibility of break-ins, vandalism and much more which has previously happened on this street.

There is a very high possibility of littering with rubbish on food waste around the area which would only attract vermin.

There is enough local food establishments in this area to supply any demand that people need.

LICENSING SUB COMMITTEE INFORMATION SHEET
2 November 2023

TYPE OF APPLICATION: Exemption from policy – Street Knowledge
APPLICANT : Deborah Margaret Elrick

INFORMATION NOTE

Taxi Driver Licence was held from 23 November 2020 until 31 May 2023 and was originally granted 06/04/2001, there is no evidence to suggest that a renewal application was received from Ms Elrick.

Ms Elrick therefore has to re-apply for the grant of a new taxi driver licence.

Under Licensing Committee policy, all intended applicants for a Taxi Driver Licence must pass the street knowledge test before a grant of taxi driver licence can be submitted.

Ms Elrick is seeking exemption from this policy.

DESCRIPTION

Street Knowledge Exemption

CONSULTEES

- N/A

OBJECTIONS/REPRESENTATIONS

Legal

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that before any new grant application for a Taxi Driver Licence can be submitted the applicant must have passed the street knowledge test.

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Exemption request – D.E

Please could I be exempt from taking the street knowledge test. I have applied for grant after mistakenly letting my licence expire but was working as a taxi driver since 2003 until September 8th this year.

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LICENSING SUB COMMITTEE INFORMATION SHEET
2 November 2023

TYPE OF APPLICATION: Exemption from policy – Street Knowledge
APPLICANT: Edward Marr

INFORMATION NOTE

Taxi Driver Licence was held from 21 October 2020 until 31 May 2023 and was originally granted on 23/07/2004. Mr Marr submitted a renewal application dated 5 September 2023.

Under Licensing Committee policy, all intended applicants for a Taxi Driver Licence must pass the street knowledge test before a grant of taxi driver licence can be submitted.

Mr Marr is seeking exemption from this policy.

DESCRIPTION

Street Knowledge Exemption

CONSULTEES

- N/A

OBJECTIONS/REPRESENTATIONS

Legal

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that before any new grant application for a Taxi Driver Licence can be submitted the applicant must have passed the street knowledge test.

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Exemption request – E.M

I have been a full time taxi driver for 19 years and due to a huge oversight on my part I failed to submit my renewal on time, it lapsed on 31.05.2023. I have been out of work a huge amount of time over the past 3 years due to Covid, extensive costly car repairs, caring for an extremely ill parent and then being hit by an uninsured driver earlier this year causing my car to be off the road for many months. All of this combined has caused me a great deal of stress and due to being purely focused on getting back to earning a wage and providing for my family again, I lapsed in renewing my licence. I plead with the board for exemption of the policy requirement to resit the street knowledge test and hope my case can be heard at the very next available opportunity to grant me my licence again.

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**LICENSING SUB-COMMITTEE INFORMATION SHEET
2 NOVEMBER 2023**

Lawrence Leaper
Taxi Licence T036
Request To Be Exempted from WAV Policy

INFORMATION NOTE

Mr Leaper is seeking an exemption to the Committee Policy that states that any new grant application for a taxi must be for a Wheelchair Accessible Vehicle and that such a licence must always licence a WAV.

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

Mr Leaper is the holder of Taxi Licence T036 and has been since 22/10/2009. The vehicle licensed has always been a WAV.

He is requesting exemption from providing a WAV as his current vehicle has broken down and fixing it will cause him financial hardship.

Should the Committee be minded to grant the exemptions Mr Leaper is aware that he will be required to submit a substitution application to licence another vehicle.

This request was deferred from the September 6, 2023, committee meeting due to insufficient information from Mr Leaper as to the reasons he is seeking the exemption and to allow Mr Leaper appear before the committee.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any new grant application for a Taxi Licence must be for a WAV vehicle and any subsequent vehicle licensed must also be a WAV.

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Exemption request – L.L

I have held my taxi licence for near 25 years. As the date draws near for me to renew my taxi drivers licence i have been dealt a blow regarding my car.

The timing belt broke last week, and just learned today (13/06/2023) the cost of repair is just not worth doing.

As a 68 year old i plan to taxi for another 2 years. So Mr McKane i ask you if you could relax the rule and enable me to put a saloon car on the road for the last 2 years of my working life.

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