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To: Councillor Al-Samarai, Convener; Councillor Delaney, Vice-Convener; and Councillors Clark, Crockett, Graham, Henrickson, Lawrence, MacGregor and McLeod.

Town House,
ABERDEEN 6 May 2025

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in **Committee Room 2 - Town House** on **WEDNESDAY, 14 MAY 2025 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>

ALAN THOMSON
INTERIM CHIEF OFFICER – GOVERNANCE

B U S I N E S S

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 19 February 2025 (Pages 5 - 16)
- 5.2. Minute of Meeting of the Licensing Sub Committee of 22 April 2025 (Pages 17 - 18)
- 5.3. Committee Business Planner (Pages 19 - 20)

NOTICES OF MOTION

- 6.1. Notices of Motion

REFERRALS FROM COUNCIL, COMMITTEES AND SUB COMMITTEES

- 7.1. Referrals from Council, Committees or Sub Committees

COMMITTEE REPORTS

- 8.1. Low Emission Zone - Wheelchair Accessible Taxi Exemption - CR&E/25/107 (Pages 21 - 24)
- 8.2. Taxi Fleet Composition - CORS/25/122 (Pages 25 - 30)
- 8.3. Sexual Entertainment Venue Licensing - CORS/25/041 (Pages 31 - 50)

APPLICATIONS FOR LICENCES

- 9.1. Short Term Let (New Operator) - 41 Shielhill Avenue (Pages 51 - 62)
- 9.2. Short Term Let (New Operator) - Flat 17, Trinity House Trinity Quay (Pages 63 - 68)
- 9.3. Short Term Let (New Operator) - 97 Oakhill Grange (Pages 69 - 74)
- 9.4. Taxi Zone Relaxation 2025 Request (Pages 75 - 76)
- 9.5. Public Entertainment Licence (Grant) - Aberdeen Sports Village (Pages 77 - 78)

- 9.6. Late Hours Catering (Renewal) - Wandaland Ltd, Fuse Box, 44 Bridge Street
(Pages 79 - 80)

EXEMPT BUSINESS - TO BE HEARD IN PRIVATE UNDER PARAGRAPH 14 OF THE ACT

- 10.1. Taxi Licence Renewal (Pages 81 - 84)
- 10.2. Request for Revocation - Taxi Driver Licence (Pages 85 - 88)
- 10.3. Request for Suspension/Revocation - Taxi Driver Licence/Taxi Licence/Private Hire Licence (Pages 89 - 92)

CONFIDENTIAL INFORMATION - 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.

- 11.1. Taxi Driver Licence - Renewal (Pages 93 - 94)
- 11.2. Taxi Driver Licence - Renewal (Pages 95 - 96)
- 11.3. Taxi Driver Licence - Renewal (Pages 97 - 98)
- 11.4. Taxi Driver Licence - Renewal (Pages 99 - 100)
- 11.5. Request for Exemption from Policy - Wheelchair Accessible Vehicle (Pages 101 - 102)
- 11.6. Request for Exemption from Policy - Wheelchair Accessible Vehicle (Pages 103 - 104)
- 11.7. Request for Exemption from Policy - Wheelchair Accessible Vehicle (Pages 105 - 106)
- 11.8. Request for Exemption from Policy - Wheelchair Accessible Vehicle (Pages 107 - 108)
- 11.9. Request for Exemption from Policy - Wheelchair Accessible Vehicle (Pages 109 - 110)
- 11.10 Request for Exemption from Policy - Wheelchair Accessible Vehicle (Pages 111 - 112)

- 11.11 Request for Exemption from Policy - Wheelchair Accessible Vehicle (Pages 113 - 114)
- 11.12 Request for Exemption from Policy - Wheelchair Accessible Vehicle (Pages 115 - 116)

Integrated Impact Assessments related to reports on this agenda can be viewed [here](#)

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LICENSING COMMITTEE

ABERDEEN, 19 February 2025. Minute of Meeting of the LICENSING COMMITTEE. Present:- Councillor Al-Samarai, Convener; Councillor Delaney, Vice-Convener; and Councillors Clark, Graham, Henrickson, Lawrence, MacGregor, McLeod and van Sweeden.

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.

EXEMPT BUSINESS

1. The Convener proposed that the Committee consider item 10.1 (Street Trader Licence - Grant) with the press and public excluded from the meeting.

The Committee resolved:-

in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the above item, so as to avoid disclosure of information of the classes described in paragraph 14 of Schedule 7(A) to the Act.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

2. There were no declarations of interest or transparency statements intimated.

DEPUTATION BY THE TAXI TRADE MEMBERS OF THE TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP

3. The Committee received a deputation from Russell McLeod on behalf of the Taxi Trade members of the Taxi and Private Hire Car Consultation Group (T&PHCCG) relating to agenda item 8.1 (Aberdeen City Taxi and Private Hire Unmet Demand and Overprovision Survey).

Mr McLeod (1) made reference to the Taxi Demand survey undertaken by LVSA which was commissioned by Aberdeen City Council; (2) advised that he was not surprised at all of the outcome of the survey, as the taxi trade worked hard to service tens of thousands of journeys each week getting Aberdonians and the visitors to the city where they needed to be and were confident of this outcome; (3) explained that in the trade's opinion it totally vindicated the historical and ongoing active efforts of the T&PHCCG members and the Committee; (4) advised that changes had been made and continue to do so, including how to become a taxi driver, which ultimately would improve Taxi provision in Aberdeen even further; (5) intimated that the survey must bear weight and be the only thing that should be considered when shaping future policy decisions and not the outside sources "Negative narrative" which had been portrayed in the media; and (6)

LICENSING COMMITTEE

19 February 2025

advised that the issues that the trade had back in November/December 2023, were very challenging, but as a trade, took stock, adjusted, then approached and dealt with the festive period in 2024 in a professional manner, where complaints were minimal and they served Aberdeen's public admirably.

Mr McLeod made reference to the survey findings, as follows:-

- only 17% of those who use the City's ranks waited for a taxi to arrive, including peak times;
- the average wait time at a rank was approximately 3 minutes, however if consideration was given to the average wait, including those who did not have to wait, then the average was only 32 seconds;
- that the Aberdeen Tariff rate was 26 out of 32 Scottish councils, highlighting therefore that the public's perception that fares were expensive, was just not true, with the average 2-mile journey in Scotland £6.95, and Aberdeen was £6.60; and
- concluded by intimating that there was no significant unmet demand.

Mr McLeod advised that none of the key stakeholders reported any issues with taxis, noting that they waited a bit longer at peak times, which was the same in any major City.

Mr McLeod indicated that there was still a requirement to recruit drivers, especially those who had a general knowledge of the city and who had at least put in some effort to become a taxi driver, if for no other reason than public safety. He explained that members of the public were generally satisfied with licensed vehicle services and accept that there were limitations with availability at certain times.

Mr McLeod intimated that the taxi trade had been completely bombarded with a negative narrative, from very active business groups that supposedly were there to support Aberdeen business's and he wanted them to work with the trade and not against them. Mr McLeod made reference to the city centre footfall, which reduced whilst works on Central Union Street were ongoing, explaining that the Merchant Quarter was almost inaccessible and the east end of Union Street was virtually a no-go area.

In conclusion, Mr McLeod intimated that all parties need to collaborate and work together for the benefit of the city and its patrons instead of apportioning blame, however he stressed that there was a need to involve taxis in transport discussions.

The Committee resolved:-

to thank Mr McLeod and the taxi trade members of the T&PHCCG for their deputation and contribution.

MINUTE OF PREVIOUS MEETING OF 4 DECEMBER 2024

4. The Committee had before it the minute of its previous meeting of 4 December 2024, for approval.

LICENSING COMMITTEE

19 February 2025

The Committee resolved:-

to approve the minute.

MINUTE OF MEETING OF THE LICENSING SUB COMMITTEE OF 31 JANUARY 2025

5. The Committee had before it the minute of meeting of the Licensing Sub Committee of 31 January 2025, for approval.

The Committee resolved:-

to approve the minute.

COMMITTEE BUSINESS PLANNER

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

The Committee resolved:-

- (i) to note the reason for deferral in relation to item 6 (Taxi Fleet Composition);
- (ii) to transfer item 5 (Residential Caravan Licensing) to the Communities, Housing and Public Protection Committee Business Planner, for the reason outlined in the Planner;
- (iii) to note that a Service Update will be circulated to members of the Committee relating to the Residential Caravan Licensing report, following its consideration by the Communities, Housing and Public Protection Committee in March 2025; and
- (iv) to otherwise note the Business Planner.

ABERDEEN CITY TAXI AND PRIVATE HIRE UNMET DEMAND AND OVERPROVISION SURVEY - CORS/25/046

7. The Committee had before it a report by the Director of Corporate Services which presented the 2024 Taxi Demand Survey, attached as Appendix 1 and also included a Private Hire Overprovision Assessment and a Review of Taxi Rank provision in Aberdeen.

The report recommended:-

that the Committee –

- (a) note the results and recommendations of the Survey;
- (b) agree that there is currently no evidence of significant unmet demand for the services of taxis in Aberdeen and therefore no need to increase the limit on the number of taxi licences;

LICENSING COMMITTEE

19 February 2025

- (c) agree that there is no evidence of the overprovision of private hire cars in the locality of the City of Aberdeen and therefore no need to introduce a cap on private hire car licences; and
- (d) instruct the Chief Officer - Governance, to discuss with the Taxi and Private Hire Car Consultation Group, measures which could encourage more of the licensed vehicle fleet to operate during unsocial hours and which would help to address limitations in provision during such hours.

The Committee heard from Iain MacDonald, LVSA, who highlighted the key information from the survey.

The Committee resolved:-

to approve the recommendations.

SEXUAL ENTERTAINMENT VENUE LICENSING - CORS/25/041

8. The Committee had before it a report by the Director of Corporate Services which provided information on the position in relation to Sexual Entertainment Venue (SEV) licences and sought to determine whether a formal review process was required.

The report recommended:-

that the Committee consider the current policy in relation to Sexual Entertainment Venue licences and determine whether a formal review process was required.

The Committee heard from the Interim Chief Officer – Governance who advised that further information had come to light, therefore he requested that this report be deferred and an updated report be considered at the next meeting of the Committee.

The Committee resolved:-

to defer consideration of a report on Sexual Entertainment Venue (SEV) licences until the next meeting of the Committee.

SHORT TERM LET (NEW OPERATOR) - 2 WOODCROFT ROAD

9. The Committee had before it a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that eight letters of representation were submitted to the Private Sector Housing Team. A letter of representation from the applicant had also been submitted.

As a preliminary matter, Mrs Jocelyn Janssen, Private Sector Housing Manager advised that a late letter of objection had been received from Gavin and Aileen Clifford, therefore the Committee required to consider whether it be accepted into the proceedings.

The Committee resolved:-

LICENSING COMMITTEE

19 February 2025

to accept the late correspondence into the proceedings.

Mrs Janssen advised that the necessary upgrading works had been completed.

The Committee heard from the applicant Uchenna Nnamani, who spoke in support of his application and responded to questions from members.

Joanne Ross, Tamara Howarth, Steven King, Forbes Murray, Henry Bob-Manuel and Aileen Clifford were in attendance and spoke in support of their letters of representation and responded to questions from members.

All parties were given the opportunity to sum up.

The Convener, seconded by Councillor Clark, moved:-

that the Committee refuse the licence on the following grounds:-

Where the licence applied for relates to an activity consisting of or including the use of premises, those premises are not suitable or convenient for the conduct of the activity having regard to –

- (i) the nature and extent of the proposed activity;
- (ii) the possibility of undue public nuisance; and
- (iii) public order or public safety.

Councillor van Sweeden, seconded by Councillor Henrickson, moved as an amendment:-

that the Committee refuse the licence on the grounds that the applicant was not a fit and proper person.

On a division, there voted:- for the motion (6) – the Convener, the Vice Convener and Councillors Clark, Lawrence, MacGregor and McLeod; for the amendment (2) – Councillors Henrickson and van Sweeden.

The Committee resolved:-

to adopt the motion.

SHORT TERM LET (NEW OPERATOR) - 63 BOTHWELL ROAD

10. The Committee had before it a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of representation was submitted to the Private Sector Housing Team.

Mrs Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had still to be completed.

The applicant Allan Cruickshank and his representative Hollie Cowie were in attendance, spoke in support of the application and responded to questions from members.

LICENSING COMMITTEE

19 February 2025

Neil Stewart was in attendance, spoke in support of his letter of objection and responded to questions from members.

All parties were given the opportunity to sum up.

The Committee resolved:-

to defer consideration of the application until the necessary upgrading works were completed, after which time the Chief Officer - Housing could grant the licence under delegated powers if appropriate.

LATE HOURS CATERING LICENCE (GRANT) - BURGER KING, CENTREPOINT RETAIL PARK

11. The Committee had before it an information note prepared by the interim Chief Officer – Governance, which advised (1) that the application had been submitted with a closing time of 05:00, Monday to Sunday, which was out-with Committee policy for Late Hours Catering Licences; and (2) that the application required to be determined by 20 July 2025.

Niall Hassard, the applicant's agent and Venugopal Ganganeni, the Store Manager were in attendance, spoke in support of the application and responded to questions from members.

The Committee resolved:-

to grant the licence.

STREET TRADER LICENCE (GRANT) - EMMA WILLIAMSON

12. With reference to article 10 of the minute of meeting of 9 October 2024, the Committee had before it an information note prepared by the interim Chief Officer – Governance, which (1) sought approval of an application for the grant of a Street Trader Licence to sell hot food, as well as hot and cold drinks at Golf Road East Side, 114m South from Pittodrie Street in Car Park; and (2) advised that the application required to be determined by 15 April 2025.

The licence holder, Emma Williamson was in attendance, spoke in support of her application and responded to questions from members.

Ms Deborah Wyllie, Lead Officer Estates, Aberdeen City Council was in attendance and responded to questions from members.

The Committee resolved:-

LICENSING COMMITTEE

19 February 2025

- (i) to grant the licence with an additional condition stating that the applicant must remove from the site within 28 days, if given notice to do so by the Estates Team (Aberdeen City Council); and
- (ii) to waive the application fee, for one further application, should the applicant apply for another site location.

REQUEST FOR EXEMPTION FROM POLICY - STREET KNOWLEDGE TEST - KASHIF IFTIKHAR

13. The Committee had before it an information note prepared by the Interim Chief Officer – Governance, which advised that the applicant was seeking an exemption from undertaking the Street Knowledge Test.

The applicant was not in attendance, nor represented.

The Committee resolved:-

to refuse the request for exemption from undertaking the Street Knowledge Test.

In accordance with the decision taken at Article 1 of this minute, the following item was considered with the press and public excluded.

STREET TRADER LICENCE (GRANT)

14. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance, which advised that the application required to be determined by 30 July 2025; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division dated 11 November 2024.

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

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

Both parties were given the opportunity to sum up.

The Convener, seconded by Councillor Clark, moved:-

that the Committee refuse the licence on the grounds that the applicant was not a fit and proper person to hold the licence.

Councillor van Sweeden, seconded by the Vice Convener, moved as an amendment:-

that the Committee grant the licence.

LICENSING COMMITTEE

19 February 2025

On a division, there voted:- for the motion (3) – the Convener and Councillors Clark and MacGregor; for the amendment (6) – the Vice Convener and Councillors Graham, Henrickson, Lawrence, McLeod and van Sweeden.

The Committee resolved:-

to adopt the amendment.

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.

LANDLORD REGISTRATION - RENEWAL (AGENDA ITEM 11.1)

15. The Committee were advised that Police Scotland had withdrawn their letter of objection, therefore noting that the Chief Officer - Housing could grant the registration under delegated powers if deemed appropriate.

LANDLORD REGISTRATION - NEW (AGENDA ITEM 11.2)

16. The Committee had before it (1) a report by the Private Sector Housing Manager; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division, dated 22 October 2024.

The applicant was in attendance, and spoke in support of his application and responded to questions from members.

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

Both parties were given the opportunity to sum up.

Councillor van Sweeden, seconded by Councillor McLeod, moved:-
that the Committee grant the registration.

The Vice Convener, seconded by Councillor Clark, moved as an amendment:-
that the Committee refuse the registration on the grounds that the applicant was not a fit and proper person.

On a division, there voted:- for the motion (3) – Councillors Graham, McLeod and van Sweeden; for the amendment (6) – the Convener, the Vice Convener and Councillors Clark, Henrickson, Lawrence and MacGregor.

LICENSING COMMITTEE

19 February 2025

The Committee resolved:-

to adopt the amendment.

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.3)

17. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.4)

18. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

The Committee resolved:-

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

At this juncture, the Vice Chairperson took the chair for the following item due to the Convener having to leave the meeting to attend to an urgent matter.

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.5)

19. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an

LICENSING COMMITTEE

19 February 2025

exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

The Committee resolved:-

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.6)

20. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was not in attendance, nor represented.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.7)

21. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

The Committee resolved:-

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.8)

22. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

LICENSING COMMITTEE

19 February 2025

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

At this juncture, the Vice Chairperson took the chair for the following item due to the Convener having to leave the meeting to attend to an urgent matter.

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.9)

23. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder and her trade union representative, Mr Peter Campbell were in attendance and spoke in support of the request and responded to questions from members.

The Committee resolved:-

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.10)

24. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

The Committee resolved:-

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

LICENSING COMMITTEE

19 February 2025

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.11)

25. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

The Committee resolved:-

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.12)

26. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

- **COUNCILLOR GILL AL-SAMARAI, Convener.**

LICENSING SUB COMMITTEE

ABERDEEN, 22 April 2025. Minute of Meeting of the LICENSING SUB COMMITTEE. Present:- Councillor Al-Samarai, Convener; and Councillors Henrickson and Lawrence.

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.

CONFIDENTIAL INFORMATION

The press and public were excluded from the meeting for consideration of the following item which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.

REQUEST FOR SUSPENSION (PARAGRAPH 11) OF A TAXI DRIVER LICENCE

2. The Sub Committee had before it an information note prepared by the interim Chief Officer – Governance, in terms of schedule 1, of sections 11 and 12 of the Civic Government (Scotland) Act 1982, relating to the suspension of the licence holder's Taxi Driver's Licence.

Mr Sandy Munro, Legal Adviser advised that correspondence had been received from the occupation health provider, advising that the licence holder did not currently meet DVLA Group 2 medical standards. Mr Munro confirmed that in the event of the licence being suspended, officers had delegated powers to immediately lift the suspension on receipt of evidence that the licence holder meets DVLA Group 2 standards.

The licence holder was in attendance, accompanied by Mr Russell McLeod, who provided further information and responded to questions from members.

The Sub Committee resolved:-

to continue the suspension under Paragraph 12, Schedule 1 of the Civic Government (Scotland) Act 1982 for the unexpired proportion of the licence.

- **COUNCILLOR GILL AL-SAMARAI, Convener**

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	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			14 May 2025						
4	Low Emission Zone – Wheelchair Accessible Taxi Exemption	The Committee on 5/6/24 instructed the Chief Officer – Strategic Place Planning to report back to the Licensing Committee with an update prior to the one year exemption from the Aberdeen Low Emission Zone (LEZ) granted to taxi and private hire car (PHC) operators		Will Hekelaar	Strategic Place Planning	City Regeneration and Environment	16.3		
5	Sexual Entertainment Venue Licensing	Potential Review of Policy	The Committee on 19/2/25 agreed to defer consideration of this report due to new information coming to light which will be incorporated within the report.	Sandy Munro	Governance	Corporate Services	16.3		
6	Taxi Fleet Composition	The Licensing Committee on 4/12/24 agreed to instruct the Chief Officer - Governance to report the results of the public consultation to the Committee on 19 February 2025.	The Committee on 19/2/25 noted that The requirements of the new survey platform resulted in a delay in getting the survey issued and the results will not be available for the February meeting. A report will likely be submitted in May.	Sandy Munro	Governance	Corporate Services	16.3		
7			27 August 2025						
8	Membership of the Taxi and Private Hire Car Consultation Group	to review and consider changes to the membership of the Taxi and Private Hire Car Consultation Group		Mark Msson	Governance	Corporate Services	Intro 3		
9			8 October 2025						
10	No Reports scheduled at this time								

	A	B	C	D	E	F	G	H	I
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
11			17 December 2025						
12	No Reports scheduled at this time								
13			TBC						
14	Taxi and Private Hire Driver Training	The Committee on 5/6/24 agreed to instruct the interim Chief Officer – Governance to submit a report to the Committee in due course following the completion of all necessary background works required to implement the program		Sandy Munro	Governance	Corporate Services	16.3		
15	Second Hand Dealer's Licence Resolution	to review existing resolution and determine if a review exercise is required	On 26/8/24 the Committee were advised that the report was delayed due to a transitional period for consultation exercise providers	Sandy Munro	Governance	Corporate Services	16.3		
16	Public Entertainment Licensing Resolution	to consider the results of the review of Public Entertainment Licensing Resolution	On 26/8/24 the Committee were advised that the report was delayed due to a transitional period for consultation exercise providers	Sandy Munro	Governance	Corporate Services	16.3		
17	Street Trader's Licence Policy	to review existing policy and determine if a review exercise is required	On 4/12/14 the Committee were advised that the report was delayed due to a transitional period for consultation exercise providers	Sandy Munro	Governance	Corporate Services	16.3		

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing
DATE	14 May 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Low Emission Zone – Wheelchair Accessible Taxi Exemption
REPORT NUMBER	CR&E/25/107
EXECUTIVE DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne
REPORT AUTHOR	Will Hekelaar
TERMS OF REFERENCE	3

1. PURPOSE OF REPORT

- 1.1 To update Members on proposals for a further one-year exemption from the Low Emission Zone for wheelchair accessible taxis.

2. RECOMMENDATION

That the Committee:-

- 2.1 Note that wheelchair accessible taxis are to be granted an additional one-year exemption from the Low Emission Zone; and
- 2.2 Instruct the Interim Chief Officer – Governance to communicate this decision to wheelchair accessible taxi operators.

3. CURRENT SITUATION

- 3.1 In [September 2023](#), Members of the Licensing Committee were advised that a one-year exemption from the Aberdeen Low Emission Zone (LEZ) had been agreed for taxi and private hire car (PHC) operators. This came into force on 1st June 2024 and is due to expire on 30th May 2025. At the time of the September 2023 report, approximately 189 taxis (32% of the local fleet) and 19 PHCs (8%) were not compliant with the LEZ.
- 3.2 When the exemption was granted, it was made clear to the taxi and PHC industry that such exemptions could only be granted for one year and that there was no guarantee of renewal, so vehicle and fleet owners should look to achieve compliance with the LEZ in the quickest time possible. During this time, funding has been available from the Energy Savings Trust to support vehicle and fleet operators achieve LEZ compliance.

- 3.3 Since then, there has been significant improvement in the local taxi and PHC fleet, with (as of March 2025) 69 licensed taxis (14% of the fleet) and 3 PHCs (less than 1%) not compliant with the LEZ. 58 of these non-compliant taxis are wheelchair accessible vehicles (WAVs); no PHCs are WAVs.
- 3.4 There is still a need for a good supply of taxis in the city centre to ensure the area remains accessible to all, and safe, particularly for those travelling home after enjoying a night out in the city centre for whom public transport may not be available. Offering an additional one-year exemption to these 58 wheelchair accessible taxis will therefore ensure the current city centre taxi provision can be largely maintained, with 97.8% of taxis either compliant or exempt, and 99% of PHCs compliant, and allow an additional year to work towards a fully compliant taxi and PHC fleet in the city centre. As per the legislation and the previous exemption, this additional exemption can only be issued for twelve months, with no guarantee of renewal, therefore operators are still advised to achieve compliance with the LEZ in the quickest time possible.
- 3.5 Operators of wheelchair accessible taxis will require to be advised of this additional one-year exemption from the Low Emission Zone.

4. FINANCIAL IMPLICATIONS

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

5. LEGAL IMPLICATIONS

- 5.1 The Transport (Scotland) Act 2019 introduced powers for local authorities to implement LEZs and to specify local time-limited exemptions. The protocol agreed with Transport Scotland for the consideration of exemptions was that these would be considered by the local LEZ Delivery Group (made up of representatives of Aberdeen City Council, Aberdeenshire Council, Nestrans and NHS Grampian) and a recommendation made to the Council's Chief Officer of Strategic Place Planning who would have final determination on whether the exemption should be granted or not.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 Exempting vehicles from the LEZ reduces the air quality benefits but the impacts should be relatively minor given the volume of vehicles involved.

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 Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	Exempting vehicles from the LEZ could prevent ACC achieving compliance with air quality objectives in the quickest time possible, as per obligations under the Cleaner Air for Scotland Strategy. Restricting the number of taxis and PHCs in the city centre could negatively impact on the provision of safe and accessible transport options for all users.	Support an additional one year exemption for wheelchair accessible taxis, but ensure that wheelchair accessible taxi drivers are aware that the exemption only lasts for a maximum of one year.	L	Yes
Compliance	No significant risks identified.			
Operational	No significant risks identified.			
Financial	No significant risks identified.			
Reputational	The Council may be viewed as not taking air quality obligations seriously and offering favourable conditions to the taxi trade. Conversely, a lack of taxis serving the city centre as a result of LEZ restrictions could reflect badly on the Council and its obligations to support a safe and accessible transport system.	Support an additional one year exemption for wheelchair accessible taxis, but ensure that wheelchair accessible taxi drivers are aware that the exemption only lasts for a maximum of one year.	L	Yes
Environment / Climate	Exempting vehicles from the need to	Support an additional one	L	Yes

	comply with the LEZ will have negative air quality implications.	year exemption for wheelchair accessible taxis, but ensure that wheelchair accessible taxi drivers are aware that the exemption only lasts for a maximum of one year.		
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8. OUTCOMES

Council Delivery Plan 2024	
	Impact of Report
Regional and City Strategies	The proposals within this report support the Regional Transport Strategy priority of 'Accessibility for all' and the Local Transport Strategy objective of 'An integrated, accessible and socially inclusive transport system'.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	New Integrated Impact Assessment has been completed
Data Protection Impact Assessment	Not required.
Other	N/A

10. BACKGROUND PAPERS

10.1 None.

11. APPENDICES

11.1 None.

12. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	14 May 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Taxi Fleet Composition
REPORT NUMBER	CORS/25/122
DIRECTOR	Gale Beattie
CHIEF OFFICER	Alan Thomson/Vikki Cuthbert
REPORT AUTHOR	Sandy Munro
TERMS OF REFERENCE	16.3

1. PURPOSE OF REPORT

- 1.1 To provide an update on the options for implementation of a mixed taxi fleet.

2. RECOMMENDATION(S)

That the Committee :-

- 2.1 consider the results of the public consultation;
- 2.2 retain the policy that all new applications for a taxi vehicle licence require to be for a Wheelchair Accessible Vehicle (WAV);
- 2.2 agree a mixed fleet with a 50/50 split between Saloons and WAVs;
- 2.3 stipulate a date by which all current licence holders can apply for access to the waiting list for a saloon plate;
- 2.4 instruct the Chief Officer – Governance to organise the list in order of length of licence held at that date and add applicants to the bottom of the list thereafter;
- 2.5 agree that each applicant on the waiting list be permitted one opportunity to pass on the chance to change vehicle before being moved to the bottom of the list; and
- 2.6 agree that an applicant who accepts the opportunity to change vehicle is given 6 months in which to do so before the opportunity passes to the next applicant on the list.

3. CURRENT SITUATION

- 3.1 The Committee agreed in December 2024 to hold a public consultation on the options for establishing and maintaining a mixed fleet of taxi vehicles.

- 3.2 A brief introduction explained the proposed policy and then asked a number of consultation questions. The consultation questions are listed as Appendix 1 under Related Documents at

<https://www.aberdeencity.gov.uk/services/services-business/licences-and-permits/taxi-licence>

- 3.3 The consultation was conducted online from 28 February 2025 until 11 April 2025. The consultation link was sent to the trade, the Disability Equity Partnership and other stakeholders direct and was advertised on the Council's social media platforms.

- 3.4 Approximately 464 responses were received.

- 3.5 Firstly, regarding the split of saloon vehicles and Wheelchair Accessible Vehicles (WAVs) the majority of respondents did not agree with the proposed 50/50 split. Within those that disagreed, there was no real consensus on a suitable level of split nor any kind of rationale for any particular level.

- 3.6 A list of the full responses to the question can be accessed as Appendix 2 under Related Documents at

<https://www.aberdeencity.gov.uk/services/services-business/licences-and-permits/taxi-licence>

There appears to have been a misconception that this increases the number of WAVs within the fleet but that is not the case. The current policy is that all new taxi licences must be WAVs with all vehicles to be WAVs by a currently undetermined date. This policy is looking to introduce a mix of saloons and WAVs.

- 3.7 Additionally, a recurring suggestion is that the split is based on the proportion of wheelchair users within the local population. It is questionable as to whether this would mean the Authority is meeting the Public Sector Equality Duty, however. In the English case of *R v Newcastle ex parte Blake*, this was addressed by one of the judges:

“The third consideration calls upon one to look at the situation through the eyes of the person who is bound to a wheelchair. It may be that there is an adequate number of wheelchair access Hackney carriages if one simply looks upon it as a statistical problem. If there are say five percent of wheelchairbound potential passengers and already ten percent of vehicles which have wheelchair access, one might say that is an adequate provision. But what of the person who is waiting on the rank in his wheelchair for a Hackney Carriage and he is fifth in the queue. The first two may be the older type of vehicle with no wheelchair access. Then along comes vehicle number three which has a wheelchair access. It may well be that the people who are number 3 in the queue may not be willing to stand down and let the wheelchair bound person take their place. They go off in the Hackney carriage with the wheelchair access and then it may be that another such vehicle does not come to that stand for a long time. The

disabled person has to keep standing back again and again in the queue. That is not an unreal situation. The mere fact that you have a set percentage of vehicles, if that is the way it is to be done, which have wheelchair access, does not always mean there is roughly a sufficient number of such vehicles waiting or arriving roughly at the right time at this, that or the other rank.”

- 3.8 Accordingly, it is suggested that a 50/50 split remains the preferred ratio as it introduces additional saloon vehicles to the fleet whilst retaining the likelihood that a mix of vehicles is regularly arriving at any given rank to avoid the situation detailed in the previous paragraph. WAVs currently comprise around 57% of the fleet.
- 3.9 On the subject of early access to the waiting list for a saloon vehicle approximately 18% voted for 10 years, 37% for 5 years and 45% for “other”.
- 3.10 There was no consensus for another figure, and there again appears to have been a misconception with a number of responses saying that a change of vehicle should not be necessary. The intention behind this question was to assess whether those current WAV drivers who have been doing so for a longer period of time gained an advantage from that experience when preparing the waiting list for a saloon plate. Full responses to the question can again be found as Appendix 3 under Related Documents at <https://www.aberdeencity.gov.uk/services/services-business/licences-and-permits/taxi-licence>
- 3.11 Investigation of the records held by the licensing department has since indicated that applicants could be prioritised by length of time a licence has been held. It is suggested therefore that applications for the waiting list are invited with a cut off date. After that deadline, applicants are listed in order of length of licence to form the waiting list, Subsequent applications after the deadline join the bottom of the list regardless of licence history thereafter.
- 3.12 The majority of respondents (79%) were of the opinion that the first person on the list should be allowed to pass on one opportunity to change vehicle.
- 3.13 The majority of respondents also considered 3 months not sufficient to change vehicle when the opportunity arose, although again there appears to have been a degree of misconception as a number of comments indicated licence holders should not be forced to change vehicle, which is not what is being proposed here. It is seeking an adequate length of time for an applicant to source a new vehicle when a saloon plate becomes available. The most popular suggestion from those who considered 3 months inadequate was 6 months so that is something the Committee may wish to consider.
- 3.14 There did not appear to be any recurring topics relating to the mixed fleet that were raised in answers to the last question. Responses tended to refer to other matters such as the hours of operation, the knowledge test and the overall number of vehicles. Full responses can be found as Appendix 4 under Related Documents at

4. FINANCIAL IMPLICATIONS

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

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

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 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	Failure to provide facilities for all could leave the Authority open to challenge under the Public Sector Equality Duty	Ensure the final policy means vehicles are accessible to all.	M	
Operational	No significant risks identified.			

Financial	No significant risks identified.			
Reputational	Departing from previous policy may result in reputational damage from licence holders who held a reasonable expectation that the policy would be implemented.	If the goal of 100% WAV fleet is disregarded there may be some operators who switched to WAVs in the reasonable expectation that the previous policy would have been implemented. That will have to be factored into the composition and maintenance of a mixed fleet.	M	
Environment / Climate	No significant risks identified.			

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2022-2023</u>	
	Impact of Report
Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u>	No significant impact from the recommendations of this report.
<u>Aberdeen City Local Outcome Improvement Plan</u>	
Prosperous Economy Stretch Outcomes	No significant impact from the recommendations of this report.
Prosperous People Stretch Outcomes	No significant impact from the recommendations of this report.
Prosperous Place Stretch Outcomes	No significant impact from the recommendations of this report.
Regional and City Strategies	No significant impact from the recommendations of this report.

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9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	New Integrated Impact Assessment has been completed
Data Protection Impact Assessment	Not required
Other	N/A

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES (Online)

- 11.1 Appendix 1 – Consultation questions (hyperlinked above)
- 11.2 Appendix 2 – Split options (hyperlinked above)
- 11.3 Appendix 3 – Waiting List Access (hyperlinked above)
- 11.4 Appendix 4 – Any other comments (Hyperlinked above)

12. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	14 May 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Sexual Entertainment Venue Licensing
REPORT NUMBER	CORS/25/041
DIRECTOR	Andy MacDonald
CHIEF OFFICER	Alan Thomson
REPORT AUTHOR	Sandy Munro
TERMS OF REFERENCE	16.3

1. PURPOSE OF REPORT

- 1.1 To review the position in relation to Sexual Entertainment Venue (SEV) licences and determine whether a formal review process is required.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Consider the current policy in relation to Sexual Entertainment Venue licences and determine whether a formal review process is required.

3. CURRENT SITUATION

- 3.1 The current SEV policy is attached as Appendix 1.
- 3.2 The Committee resolved on 3 December 2019 to licence SEVs, with the policy statement being approved on 14 December 2021 and coming into effect on 1 March 2022.
- 3.3 Whilst there have been no notable incidents regarding SEVs during the operation of the policy, Members may wish to conduct a formal review to establish that the policy remains fit for purpose and to ensure details such as the numerical limit of premises remains at the appropriate level. There is a suggestion at least one of the premises is no longer operating as an SEV and we have also been contacted by the Violence Against Women and Girls Partnership who are keen to contribute to a review should one go ahead.

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 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	N/A			Yes
Compliance	N/A			Yes
Operational	N/A			Yes
Financial	N/A			Yes
Reputational	N/A			Yes
Environment / Climate	N/A			Yes

8. OUTCOMES

The proposals in this report have no impact on the Council Delivery Plan.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	No assessment required. I confirm this has been discussed and agreed with Alan Thomson, Chief Officer, Governance on 21 January 2025
Data Protection Impact Assessment	Not required.
Other	N/A

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES

11.1 Appendix 1 – Current SEV Policy

12. REPORT AUTHOR CONTACT DETAILS

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Sexual Entertainment Venue Licensing Policy

Contents

1. Definitions	2
2. Introduction.....	3
3. Locality	4
Appropriate Number of SEVs in a Relevant Locality	5
Character & Vicinity of Relevant Locality.....	5
Suitability of Premises	6
The Sensitive Premises Presumption.....	6
4. Preventing Nuisance, Crime and Disorder	8
5. Securing Public Safety	9
6. Protecting Children and Young People from Harm	10
7. Reducing Violence against women	11
8. Waivers	12
10. Licensing Conditions	12
Standard Conditions.....	13
External Appearance of the Venue and Public Displays of Information.....	13
Control of Entry to the Venue	13
Conduct of Performers and Rules relating to Performances of Sexual Entertainment	14
The Protection of Performers and the Prevention of Crime in the Venue.....	15
Record Keeping and Management.....	15

1. Definitions

“1982 Act” means the Civic Government (Scotland) Act 1982;

“Building Standards” means the Council’s building standards and team;

“CCTV” means closed circuit television;

“Civic Licensing Standards Officer” as defined in section 45G of the 1982 Act;

“Councillors Code of Conduct” means the code of conduct published by the Standard Commission for Scotland;

“Aberdeen City Council”, “the Council” or “Local Authority” means Aberdeen City Council, a Local Authority in terms of the Local Government (Scotland) Act 1994 having its principal place of business at Marischal College, Broad Street, Aberdeen, AB10 1AB;

“Information Commissioner’s Office” means the Information Commissioner’s Office having its head office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF;

“Licensing Committee” or “Committee” means Aberdeen City Council’s licensing committee;

“Regulations” means the UK General Data Protection Regulation (EU 2016/679) and any such amendments;

“Scottish Fire and Rescue Services” is a body corporate established under the Police and Fire Reform (Scotland) Act 2012 and having its registered headquarters at Westburn Drive, Cambuslang, G72 7NA;

“Scottish Government’s Equally Safe Strategy” means Scotland’s strategy for preventing and eradicating violence against women and girls;

“Sex Shop” has the meaning given under Schedule 2 of the 1982 Act;

“SEVs” means sexual entertainment venue

“S.I.A” means Security Industry Authority;

“Sexual Entertainment Venue Policy” or “Policy” means the Licensing Committee’s sexual entertainment policy as required under Schedule 2 of the 1982 Act;

“Standards Commission for Scotland” means the Standards Commission for Scotland having its registered address at Scottish Parliament, Edinburgh, EH99 1SP;

“Performer” means a person who provides sexual entertainment within a venue;

“Police Scotland” means the police service of Scotland having its headquarters at Tulliallan Castle, Kincardine.

2. Introduction

Under section 45C of the 1982 Act the Local Authority is required to produce a Sexual Entertainment Venue Policy where it has passed a resolution to licence SEVs. The Licensing Committee's Policy identifies the Committee's approach to the regulation of SEVs and the processes to be followed relating to applications for licences of this kind. This Policy provides guidance for potential applicants, existing licence holders and members of the public on the licensing of SEVs.

It must be made clear from the outset that the Committee does not take a moral stance on SEVs in adopting this Policy. It is the Committee's role to regulate such venues in accordance with the law. It should be noted that the definition of a SEV is defined in law and not by the Committee. The 1982 Act defines a SEV at section 45A (2) as any premises at which sexual entertainment is provided before a live audience for (or with a view to) the financial gain of the organiser.

This definition is extremely complex and at sections 45A (3) and (4) of the 1982 Act it provides that for the purposes of the definition of a SEV, the following further definitions apply:

A "Sexual Entertainment Venue" (SEV) means: "Premises" *'includes any building, vehicle, vessel or stall, but not a private dwelling to which the public is not admitted'*. (Section 45A(3)(b) of the Act)

The following premises are sexual entertainment venues: *'any premises at which sexual entertainment is provided before a live audience for (or with the view to) the financial gain of the organiser.'* (Section 45A(2) of the Act)

- (a) "Sexual Entertainment"
- (b) "Display of Nudity"
- (c) "Audience"
- (d) "Organiser"
- (e) "Financial Gain"

The following premises are not sexual entertainment venues:

- a) Sex shops and sex cinemas (which are separately defined in Schedule 2 of the 1982 Act)
- b) Premises which provide relevant entertainment on an infrequent basis, further explained in Appendix 2 under "Occasional Use".

‘audience’ includes an audience of one;

‘financial gain’ includes financial gain arising directly or indirectly from the provision of sexual entertainment;

‘organiser’ means either the person who is responsible for the management of the premises or the organisation or management of the sexual entertainment or where that person exercises that responsibility on behalf of another person (whether by virtue of a contract of employment or otherwise), that other person;

‘premises’ includes any vehicle, vessel or stall but does not include any private dwelling to which the public is not admitted;

‘sexual entertainment’ means any live performance or any live display of nudity which is of such a nature, ignoring financial gain, must be reasonably assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience; and

“display of nudity” means: in the case of a woman, the showing of (to any extent and by any means) her nipples, pubic area, genitals or anus; and, in the case of a man, the showing of (to any extent and by any means) his pubic area, genitals and anus.

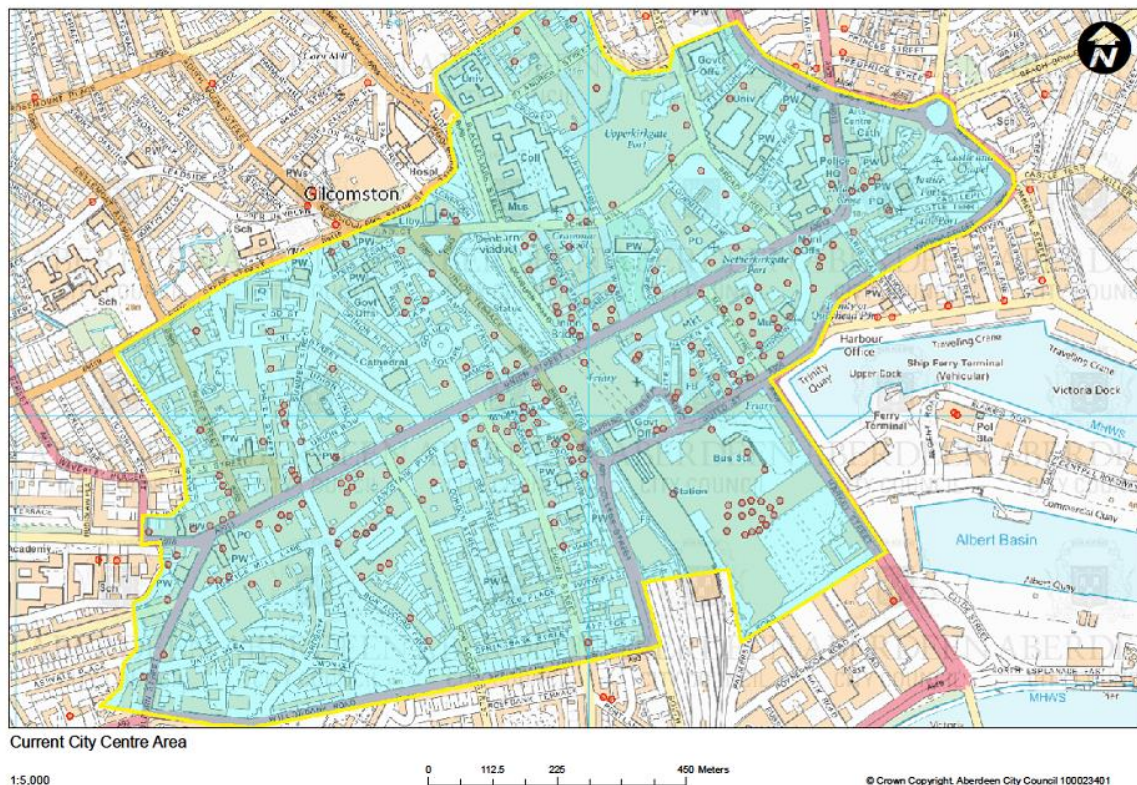
3. Locality

The Committee considers that the character of the relevant locality, the use to which premises in the vicinity are put, and the layout, character or condition of the venue in respect of which the application is made, are relevant considerations when determining the grant of a SEV licence.

(a) With reference to paragraph 9(7) of Schedule 2 of the 1982 Act, “relevant locality” means: a. In relation to the premises, the locality where they are situated;

(b) In relation to a vehicle, vessel or stall, any locality where it is desired to use it as a SEV.

The Committee have decided that there are two localities. The first locality is the City Centre highlighted in blue in the map below and the second locality is Outwith City Centre, comprising all areas outwith the city centre boundary but within the Local Authority area.



Appropriate Number of SEVs in a Relevant Locality

As set out within paragraph 9(5)(c) of Schedule 2 of the 1982 Act, the Council may refuse an application for a SEV if it is satisfied that the number of SEVs in the relevant locality at the time the particular application is made is equal to or exceeds the number which the local authority consider is appropriate for that locality. The Committee can determine that the appropriate number for a locality is nil.

The Committee considers the appropriate upper limit for the City Centre Locality to be six premises.

The Committee considers the appropriate upper limit for the Outwith City Centre Locality to be zero premises.

Character & Vicinity of Relevant Locality

In considering whether the granting, renewal or variation of the licence would be inappropriate given the vicinity in which the SEV premises operates, the Committee shall consider the existing character and function of the area. Due regard will be given to the following:

- (a) Whether the premises are situated in a residential area
- (b) Whether there are any schools and other places of education near the vicinity of the premises

- (c) Whether there are any places of worship in that vicinity
- (d) Whether there are other relevant businesses or charities operating in the area
e.g. homelessness shelters, women's refuges, supported accommodation, recovery units
- (e) Whether there are certain landmarks or facilities in the vicinity (e.g. historic buildings, sports facilities, cultural facilities, family leisure facilities, play areas or parks, youth facilities, retail shopping areas, and places used for celebration or commemoration)
- (f) Whether there have been incidents involving anti-social behaviour, sexual assaults or more minor harassment reported in that area
- (g) Whether there have been incidents of human trafficking or exploitation in that area

The Committee will consider relevant locality on a case by case basis, taking into account the particular circumstances of each application.

Suitability of Premises

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.

4. Preventing Nuisance, Crime and Disorder

The Licensing Committee is committed to improving the quality of life for the people of the City by adopting and enforcing policies designed to increase community safety and reduce threats of nuisance, crime and disorder.

In terms of this licensing objective the Committee considers there to be a number of relevant factors, including but not limited to:

- Illegal substances
- Violent behaviour
- Anti- social behaviour
- Vulnerability
- Noise nuisance
- Human trafficking

In order to combat the risks, the Committee will seek to operate a partnership approach with licence holders, applicants and partner agencies such as in particular, Police Scotland and Environmental Health:

What the Committee will do:

- Apply appropriate conditions to licences to mitigate potential nuisance, crime or disorder.
- Ensure all policies are kept up to date and fit for purpose
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible
- Endorse initiatives designed to prevent nuisance, crime and disorder
- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means

What the Committee will expect of Licence Holders:

- Effective and responsible management of premises including evidence of written procedures for preventing and managing incidents
- Up to date training and supervision of staff
- Provision of effective CCTV in and around premises
- Provision of external lighting and security measures
- Co-operation with police and Civic Licensing Officers
- Accurate and up to date record keeping
- Adequate control of entry and exit of the premises
- Supervision of anyone outside, such as smokers or those queuing to enter

What the Committee will expect of Partner Agencies

- Provision of all relevant up to date information as the Committee requires
- Involvement in mediation/intervention procedures to rectify any problem areas
- Involvement in Licence Review as a last resort

5. Securing Public Safety

The Licensing Committee is committed to ensuring the safety of persons within licensed premises as well as those in the surrounding area.

When considering this Licensing Objective, a number of factors should be considered including, but not limited to:

- Layout and maintenance of premises
- Disabled access and facilities
- Vulnerability of patrons and staff

Again, the Committee will look to operate a partnership approach with all stakeholders in order to ensure that public safety is not compromised by the operation of licensed premises.

What the Committee will do:

- Promote education and awareness of potential risks
- Apply additional licence conditions where appropriate for the purposes of this licensing objective
- Facilitate effective communication between all relevant parties
- Disseminate relevant information from partner agencies as widely as possible
- Review licences as a last resort

What the Committee will expect of Licence Holders/Applicants

- Appropriate layout of premises
- High standards of maintenance of premises
- Functioning CCTV systems of the required specification
- Accurate disability access statements
- Clear and accurate signage in and around premises
- Designation of a “safe space” within the premises in which vulnerable persons can be provided with assistance
- Regular maintenance and testing of security and operating systems
- Clear policies on conduct of staff, performers and customers

What the Committee will expect of partner Agencies

- Co-operative approach
- Effective communication and the sharing of up to date relevant information
- Involvement in a licence review as a last resort

6. Protecting Children and Young People from Harm

The Committee considers SEVs could potentially expose children and young people to harm as a result of them coming into contact with activities intended for adults only if not properly regulated.

What the Committee will do:

- Promote education and awareness of potential risks
- Apply additional licence conditions where appropriate for the purposes of this licensing objective
- Facilitate effective communication between all relevant parties
- Disseminate relevant information from partner agencies as widely as possible
- Review licences as a last resort

What the Committee will expect of Licence Holders/Applicants

- Robust policies on age verification
- Discrete exterior to premises
- Accurate record keeping for staff and performers

What the Committee will expect of partner Agencies

- Co-operative approach
- Effective communication and the sharing of up to date relevant information
- Involvement in a licence review as a last resort

7. Reducing Violence against women

Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls was first published by the Scottish Government in 2014 and updated in 2016 and 2018. It sets out a definition of violence against women and girls which includes 'commercial sexual exploitation, including prostitution, lap dancing, stripping, pornography and human trafficking'. Whilst recognising the conflict between this definition and the licensing of SEV, the Scottish Government seeks to ensure that such activities take place in safe and regulated environments. As detailed under the Securing Public Safety objective, the Committee is committed to taking appropriate and necessary action where the safety of customers visiting and staff and performers working in licensed SEVs has been compromised. However, it remains primarily the responsibility of the SEV licence holder to provide a safe and secure environment for members of staff, performers and the public.

What the Committee will do:

- Scrutinise applications to ensure an applicant is fit and proper to hold the licence
- Promote education and awareness of potential risks
- Apply additional licence conditions where appropriate for the purposes of this licensing objective
- Facilitate effective communication between all relevant parties
- Disseminate relevant information from partner agencies as widely as possible
- Review licences as a last resort

What the Committee will expect of Licence Holders/Applicants

- Robust policies to mitigate against any violence, physical or emotional, against women occurring in the venue
- Clear signage as to required conduct of customers
- Adequate procedures to resolve any incidents which may result in violence against women
- Suitable working conditions for any women employed or performing within the premises

What the Board will expect of partner Agencies

- Co-operative approach
- Effective communication and the sharing of up to date relevant information
- Involvement in a licence review as a last resort

8. Waivers

The Committee can grant a Waiver if they consider that to require a Licence would be unreasonable or inappropriate. The Committee will take into account:

- Any objections or representations
- This Licensing Policy Statement
- Scottish Government Guidance
- Any other relevant considerations.

The Committee will consider each Application on its own merits but is of the opinion that waivers will only be granted in exceptional circumstances.

9. Occasional Use (“The 4 in a year Exemption”)

Premises can be used for Sexual Entertainment for a proposed event, such as a Stag or Hen Party involving a Stripper, if the Premises have not been used for Sexual Entertainment on more than 3 previous occasions in the past 12 months.

Each occasion can last no more than 24 hours. If Premises operate as a Sexual Entertainment Venue for more than a 24 hour period, each period of 24 hours (and any part of a period of 24 hours) is to be treated as a separate occasion.

The rule applies to a rolling year, not the calendar year running from 1st January to 31st December.

You are advised to inform the Council that you are using the 4-in-a-year exemption, by writing to the Licensing Office Licensing@aberdeencity.gov.uk in advance. There is no fee for applying for an exemption.

10. Licensing Conditions

Any SEV Licence will have the following Standard Conditions applied. SEV licences may also be subject to additional conditions as determined by the Council, known as Special Conditions.

Standard Conditions

External Appearance of the Venue and Public Displays of Information

The Licence holder shall ensure:

1. That there is to be no advertisement or promotional material used by the venue on the exterior of the venue that is unsuitable to be viewed by children, for example, by way of sexually provocative imagery. The licence holder shall ensure that any exterior signage is discreet and must not display any imagery or wording that suggests or indicates relevant sexual entertainment takes place within the venue. Any external displays or advertising within the Council area may only be displayed with the prior written approval of the Council.
2. The interior of the venue must not be visible to persons outside.
3. That all charges for products and services shall be displayed in prominent areas within the venue.
4. That an appropriate code of conduct for customers is displayed in prominent areas within the venue, and at each customer table and in the bar area.
5. Performers at the venue should always be covered by a jacket when they are outside the venue at any time it is open and when they are intending to perform within the venue that night/morning/afternoon.
6. That the use of any cruising cars or any other vehicles by the venue to solicit customers or to transport customers to or from the venue is prohibited.
7. The licence must be prominently displayed at all times so as to be easily read by all persons using the venue.

Control of Entry to the Venue

8. No person under the age of 18 years shall be permitted admission to the venue at any time it is being used under this licence.
9. No person under the age of 18 years shall work at the venue as a performer.
10. The Challenge 25 proof of age scheme shall be operated at the venue whereby any person suspected of being under 25 years of age shall be required to produce identification proving they are over 18 years of age. The only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
11. The venue shall maintain a refusals log, retained for one year, whereby on any occasion where a person is refused entry it shall be recorded and available upon request by Police Scotland or an authorised officer of the Council.
12. A person who holds a licence granted under section 8 of the Private Security Act 2001 must be positioned at every entrance to the venue from 1am (on any day when the venue is open at that time) until whichever is the earlier: The time at which the venue next closes or such other time as the Committee may specify.

13. That any person who appears to be intoxicated or presents as being under the influence of drugs shall not be permitted entrance to the venue.
14. That a policy of random searches of persons entering the venue is operated at all times when the venue is open to customers.
15. Any person found to be in possession of illegal drugs upon entry shall be prevented entry to the venue.
16. Reasonable steps must be taken to ensure that any person found using illegal drugs in the venue shall be appropriately removed from the venue.

Conduct of Performers and Rules relating to Performances of Sexual Entertainment

17. The licence holder shall ensure there is a written code of conduct for performers who work in the venue and staff who are employed in the venue. This must include explaining the conditions of the SEV licence to all staff and performers and also that their activities will be recorded on CCTV.
18. The licence holder must also provide an information pack to all performers and staff which should include at least the following information:
 - a. A copy of the SEV licence;
 - b. Details of how to report a crime to Police Scotland;
 - c. Details of unions, trade organisations or other bodies that represent the interests of performers;
 - d. A copy of the code of conduct referred to in condition 17 above;
 - e. A copy of the code of conduct for customers referred to in condition 4 above; and
 - f. Price lists for drinks and separately sexual entertainment.
19. There must be no topless nudity by performers in public areas of the venue with the exception of topless performances within any performance area within the venue.
20. Performers must replace their tops at the end of each private performance and at the end of any stage performance.
21. Performances of sexual entertainment may only take place in designated areas of the venue as detailed in the licence.
22. There shall be no photography permitted by customers, owner, licence holder, staff or performers in the venue.
23. Customers must remain seated for the duration of a performance with the exception of requiring the toilet or using the bar within the venue.
24. Performers shall not arrange to meet, or have further contact with, customers outside of the venue when working.

The Protection of Performers and the Prevention of Crime in the Venue

25. Performers must be provided with secure and private changing facilities so that no customers in the venue can access these facilities.
26. All entrances to private areas within the venue to which members of the public are not permitted access shall have clear signage stating that access is restricted.
27. Any exterior smoking area for use by performers shall be kept secure and separate to any public smoking area.
28. The licence holder shall implement a written policy to ensure the safety of performers when leaving the venue following any period of work.
29. Private booths must not be fully enclosed.
30. There must be a minimum of one member of security staff present on any floor where a performance of sexual entertainment is taking place and one member of security staff at the entrance to the venue, at all times when the venue is open to the public.
31. There shall be no alterations to the layout plan of the venue without a variation of the licence.

Record Keeping and Management

32. All performers and staff shall be required to provide to the manager of the venue, valid identification prior to first performing or working at the venue. Valid forms of identification are recognised photographic identification such as passport or driving licence.
33. All performers and staff shall be eligible to work in the UK and proof of eligibility records shall be kept securely and confidentially in the venue. Management shall ensure that such records are regularly checked to ensure compliance, and these should be provided to Police Scotland or an authorised officer of the Council on request.
34. Accurate payment and remuneration records must be maintained for one year and made available upon request to Police Scotland or an authorised officer of the Council.
35. A fully operational CCTV system must be used within the venue which complies with the Data Protection Act 2018 Act and Regulations, covering all areas of the venue to which the public have access, including entrances, exits, private booths and bar area. The CCTV must be fitted and maintained in full working order in accordance with the guidance provided by the Information Commissioner's Office and to the satisfaction of Police Scotland.
36. CCTV footage must be made available to Police Scotland and authorised officers of the Council on request.
37. Throughout the SEV licensed hours a member of staff fully trained on the operation of CCTV must be present in the venue.

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LICENSING COMMITTEE INFORMATION SHEET

14 May 2025

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION

NEW HOST-SECONDARY LETTING

APPLICANT: HOLT ACCOMODATION SERVICES LTD

PROPERTY MANAGER: REBECCA DARE

ADDRESS: 41 SHIELHILL AVENUE, ABERDEEN

INFORMATION NOTE

- Application Submitted 24/09/2024
- Determination Date 23/06/2025

This Short Term Let licence application is on the agenda of the Licensing Committee for the reason that 2 representations/objections were submitted to the Private Sector Housing Team.

If, after consideration of the representations/objections, the Committee is minded to grant the Short Term Let licence, it may do so since at the time of drafting this report, the necessary upgrading works and certification have been completed.

DESCRIPTION

The property at 41 Shielhill Avenue, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises of a mid terraced house, with 3 bedrooms, bathroom, shower room, kitchen and living room. The applicant wishes to accommodate a maximum of 6 guests, which is acceptable in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- Aberdeen City Council's Planning Team
- A public Notice of Short Term Let Application was displayed outside the building, alerting the public to the licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- Aberdeen City Council's Planning Team – no objections
- One objection email from Catherine Reynolds (Attached as Appendix B)

- One objection email from Bruce Lawrie (Attached as Appendix C)
- One representation letter from the Property Manager (Attached as Appendix D)

The objections were received within the statutory time period therefore the Council must consider.

COMMITTEE GUIDELINES/POLICY

All applications for Short Term Let licences are dealt with in accordance with the Scottish Government's document:

[Short term lets - licensing scheme part 2: supplementary guidance for licensing authorities, letting agencies and platforms](#)

GROUNDINGS FOR REFUSAL

This application is being dealt with under the provisions of '[Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets\) Order 2022](#)' (the 2022 Order)

Available [grounds of refusal](#) are as follows:

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 under section 7(6) of this Act, 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

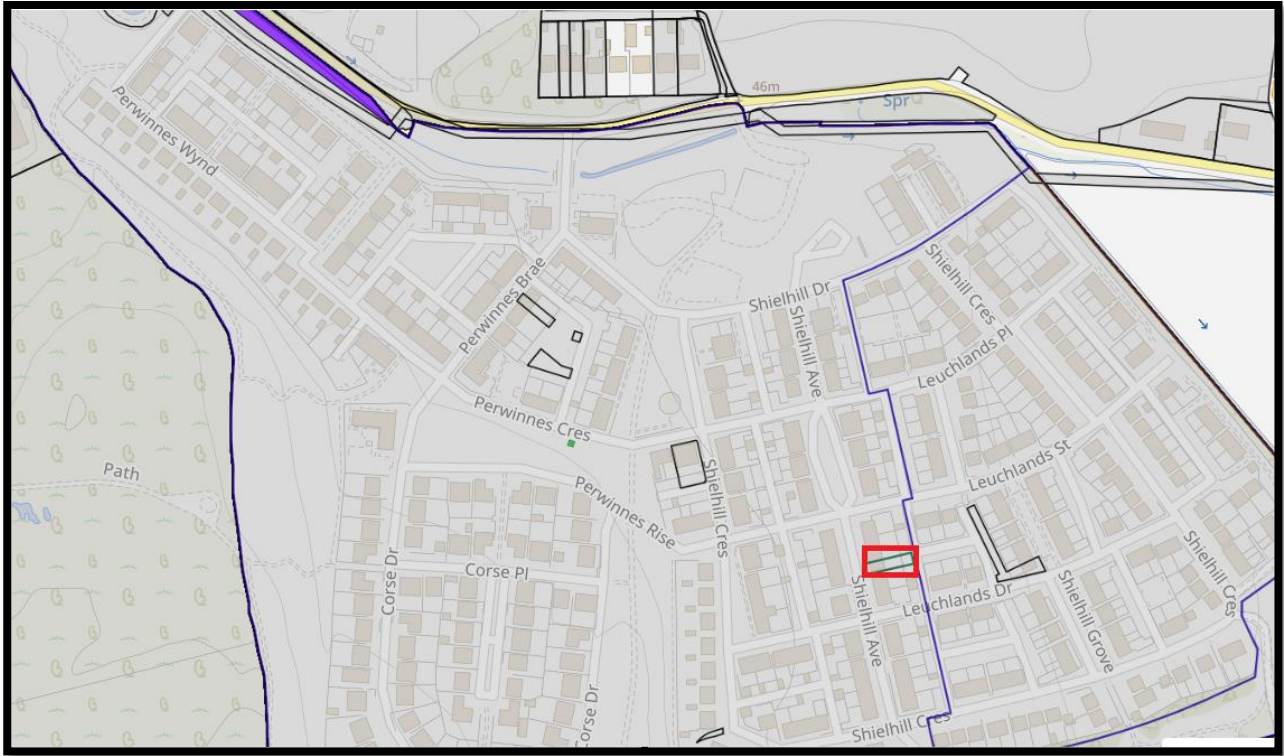
(v)public order or public safety; or

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

OTHER CONSIDERATIONS

- Landlord Registration is not a requirement of Short Term Let licensing.
- The Council's Community Safety Team has no record of anti-social behaviour complaints in respect of 41 Shielhill Avenue, Aberdeen.
- There are no Granted Short Term Let licences at Shielhill Avenue.
- Information within the Deed of Conditions is not a ground for refusing a Short Term Let licence within the legislation. Licensing cannot be used to enforce other legal issues and that would have to be enforced via other means.
- The property is currently unlicensed. As the applicant is a new operator, the property cannot operate as a Short Term Let until the Licence application is determined.

'A'



‘B’

From: Catherine Reynolds
Sent: 07 October 2024 14:35
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: 41 Shielhill Avenue, Aberdeen, AB23 8JE

Hi,

I wish to object to planning permission for use of the above address as a short-term let.

This house is located within a quiet, residential, family-oriented development and is surrounded by family homes with young children. This estate does not lend itself to being an appropriate place for short-term lets.

As a resident of this estate, around the corner from this property with a young family, I have lots of concerns including:

1. The transient nature of short-term lets means that us neighbors do not know who is coming and going, potentially increasing our concerns about crime or security in the area.
2. Short-term renters, often being tourists or visitors, might not adhere to the neighborhood norms, leading to increased noise levels and disruption, especially late at night.
3. Frequent turnover means more comings and goings, which could cause disturbances and reduce the overall tranquility of our residential area.
4. Short-term rentals will impact the sense of community, as neighbours frequently see new faces instead of long-term residents, making the area feel less cohesive and safe.
5. Increased traffic and demand for parking spaces that can result from a continuous influx of visitors, could lead to congestion in areas that were not designed for such high turnover. This could cause inconvenience for permanent residents and could result in conflict.
6. If this short-term let license is granted, it sets a precedence for hundreds of other houses in the development. This could lead to a further reduction in the already scarce and difficult to find, long-term rental properties, contributing to housing shortages and pushing local residents out.

There are often requests for houses for rent or for sale in this development as there are a lot of families who are keen to live here. The owner of this property would not have any problem letting this house out long term which is more suitable and fitting with the environment in which the house is situated.

I hope my views on this which I am sure reflect the view of a lot of residents in this development are heard.

Yours sincerely,

[Redacted signature]

[Redacted address]

From: Bruce Lawrie
Sent: 07 October 2024 09:18
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Short Term Let Objection

Private Sector Housing

Business Hub 11,
 Second Floor West,
 Marischal College,
 Broad Street,
 Aberdeen,
 AB10 1AB
 Dear Sir/Madam

Ref: 41 Shielhill Avenue Short-Term Let Application (HSTL649485138).

I wish to formally object to Holt Accommodation Services limited application (HSTL649485138) for a short term let licence at 41 Shielhill Avenue.

1. The property has been and is still being used unlicensed for short term lets, since April 2024. There have been numerous individuals arriving and departing with suitcases. This has been witnessed by multiple neighbours residing in the community. It transpires this property is being used as accommodation for a multitude of workers who work days and nights on a rotational 3/3 or 2/2 shift pattern for a company on Denmore road in Bridge of Don.
2. In respect to the properties within the Dubford/Shielhill Estate, in the Burdens/Deeds lodged with Land Register of Scotland, Restrictions on use section 1.2:
Each dwellinghouse shall be used and occupied as a private dwellinghouse and shall not be sub-divided or occupied by more than one family or group of individuals living together as a family at that time.
 The above restriction would be understood by the applicant (Holt Accommodation Services limited), yet they persist in operating an unlicensed short term let and have made the present application despite being aware of the current restrictions laid out clearly in the Burdens.
3. In the Burdens/Deeds lodged with Land Register of Scotland, Restrictions on use section 1.8:
No power-boats, marine crafts, caravans, motor homes, commercial vehicles or vehicles other than private motors cars, motor cycles or cycles shall be parked on any plot or on any other part of the development
 As per previous note, the applicant (Holt Accommodation Services limited), have made the present application despite being aware of the current restrictions laid out clearly in the Burdens and there is a good probability using the property for short-term letting will result in commercial vehicles being parked in an area used for private dwellinghouses. With reference to the above points outlined above, I wish to present my objection to any consent of short-term let in respect of 41 Shielhill Avenue. The applicant (Holt Accommodation Services limited) obviously is aware of restrictions placed upon the property, yet despite is currently operating an unlicensed short term let and has presented a formal application for a short term let.
 The development was built as a residential area, with notion of providing a safe and pleasant area for families with children, not for property companies to buy up family houses and alter properties to provide short-term letting for strangers who will have no investment in the development and in all probability no care for others that reside there.

Similarly, Holt Accommodation Services Limited appear to be solely concerned with maximising profit with no thought for those already residing in the area. Clearly the company does not respect or understand the importance of fostering a stable and cohesive community environment.

The environment and quality of life for the residents of the Dubford development was one of the primary intentions of the Burdens and to provide protection against the development being used for letting.

Why should a company ignore Burdens/Deeds with the intention of maximising profits. Additionally, given the company is already operating unlicensed it demonstrates their contempt for residents, Aberdeen City Council and the legal process.

Yours faithfully.

A large black rectangular redaction box covering the signature area.

'D'

Dear Sir/Madam,

Application Number: HSTL649485138. 41 Shielhill Avenue, Bridge of Don, Aberdeen, AB23 8JE

Please accept this statement in support of our application, along with addressing the two objections received.

41 Shielhill Avenue has been leased as a corporate let since April 2024. Due to the nature of the lease, we were unaware that we required a Short Term Let licence and assumed we were working within current laws and regulations.

In September 2024 we were advised that we may require a Short Term Let licence. We immediately contacted Aberdeen City Council Planning to inquire and were advised that yes, we needed a STL licence for a corporate let. Please note that the house is not classed as a main residence for any of our guests, they all reside full time elsewhere, this house is for work stays only.

We began the application process the same day. The applicant's checklist was sent to Strategic Planning, and we were given permission to apply for a STL licence. As responsible landlords, all required certification and documentation were already in place as a matter of course.

We displayed the Notice of Application and for the sake of complete transparency to ensure that all residents in the area saw this, we erected a post for the sign at the end of the front garden, close to the pavement. Please see the picture below.



The notice was displayed for the required 21 days and since this time, there have been two objections from residents in the neighbourhood, and we have also had communications with a third resident who voiced concerns.

Objections

We are aware of a post from 22/09/24 on a Facebook group specifically for the residents of Dubford/Shielhill, which informs and encourages other residents to object to our application. We have followed this with interest. We have found that almost all responses to the post are very positive regarding the planning application, and out of the 1100+ members, only two people have objected.

██████████ lives in the immediate neighbouring property, and voiced concerns about why a Short Term Let licence was being applied for at that time and did this mean that a change in type of lease/guests was going to happen in the future.

We corresponded with ██████████ directly and explained who we were and assured ██████████ that there were no plans to change who we leased to. ██████████ was satisfied with our explanation and told us that ██████████ was "more than happy with the current arrangement" and that our guests were "ideal neighbours". ██████████ did not see a reason to object based on our explanation and is very happy with the current status quo.

Mr Lawrie's Objection.

We received our first objection from Mr Lawrie who gave 3 (main) reasons for objecting to our application. We would like to address these and alleviate Mr Lawrie's concerns.

Point 1.

Mr Lawrie's says "The property has been and is still being used unlicensed for short term lets, since April 2024. There have been numerous individuals arriving and departing with suitcases. This has been witnessed by multiple neighbours residing in the community. It transpires this property is being used as accommodation for the multitude of workers who work days and nights on rotational 3/3 or 2/2 shift pattern for a company on Denmore road in Bridge of Don".

- Mr Lawrie is partially correct. The property has been leased since April 2024 as a corporate let and at the time of leasing, we were unaware that we would require a STL licence due to the nature of the lease. However, under good advice we are now correcting this. Our guests work 2/2 shifts, rarely is the house full and guests who do stay tend to stay for at least one month. This property does not have "numerous individuals arriving and departing with suitcases". We would be willing to provide our booking records since April 2024 which will show very few people arrive and leave with suitcases. The guests who do arrive go through the back lane, through the back garden and access the house from the back door. We are confident that neighbours are not disturbed by this.

Point 2.

Mr Lawrie says "In respect to the properties within the Dubford/Shielhill Estate, in the Burdens/Deeds lodged with Land Register of Scotland, Restrictions on use section 1.2:

Each dwellinghouse shall be used and occupied as a private dwellinghouse and shall not be sub-divided or occupied by more than one family or group of individuals living together as a family in this home.

The above restrictions would be understood by the applicant (Holt Accommodation Services Ltd), yet they persist in operating an unlicensed short term let and have made the present application despite being aware of the current restrictions laid out clearly in the Burdens."

- Our interpretation of this is that the house should not be changed to a business, nor should it be subdivided into flats/apartments. We believe that Mrs Holt is fully within her rights to lease out her property.
- Mr Lawrie does not include the entire text taken from the Land Registers of Scotland, Restrictions on use section 1.2 – it continues on to say "However nothing herein contained will be deemed to be a prohibition upon the leasing of any Dwellinghouse, provided that the use of such Dwellinghouse by the occupiers thereof is as a private dwellinghouse or residence in accordance with the provisions of this deed"
- Further to this, we note that in a review of Short Term Lets by Aberdeen City Licensing Committee which took place 05/06/24 the following was decided; (3.9) "A common theme contained within public objections, mentioned Title Deeds. In each case, objectors were advised Deed of Conditions for a property are not grounds for refusing a Short Term Let license within the legislation. Licensing cannot be used to enforce other legal issues and that would have to be enforced via other legislation".

Point 3.

"In the Burdens/Deeds lodged with Land Register of Scotland, Restrictions on use section 1.8: No powerboats, marine crafts, caravans, motor homes, commercial vehicles or vehicles other than private motor cars, motorcycles or cycles shall be parked on any plot or on any other part of the development. As per previous note, the applicant (Holt Accommodation Services limited), have made the present application despite being aware of the current restrictions laid out clearly in the Burdens and there is a good probability using the property for short-term letting will result in commercial vehicles being parked in an area used for private dwellinghouses."

- This was addressed in Point 2.
However, we would very much like to alleviate Mr Lawrie's concerns.
To the rear of 41 Shielhill Avenue are two parking spaces. Most of our guests walk to work due to the proximity. Some of our guests cycle to work, we provide bicycles, and they are secured within a shed in the rear garden. Occasionally a guest will use a company car. These are small electric cars. None of our guests would ever require a commercial vehicle regardless of Mr Lawrie telling you that there is a "good probability" of this happening.

Catherine Reynolds' Objection

Ms Reynolds is entirely reasonable and justified in raising objections, she has young children and would like to know who is living in the proximity of her family. We would like to assure Ms Reynolds that our guests are scrutinized, monitored and checked in contrast with average resident who moves into a property without such checks and monitoring.

We invite her to speak to us any time with any concerns she has. We shall talk about who our guests are, which we are confident will answer Ms Reynold's questions and concerns about cohesion.

Our Guests.

Our contract is with a large, reputable oil company whose focus is wind farms and geotechnical data gathering. This company employs over 11,000 people in 57 different countries and has been part of Aberdeen's oil and gas industry for over 45 years. The offices of our guests are located on Denmore Road in the Bridge of Don, which is about 10 minutes' walk away from 41 Shielhill Avenue.

There was a requirement for a house in the area rather than a hotel so that guests have a home away from home experience, where they can cook and eat at a table, do their laundry and sit in a garden. This type of environment is important for our guest's wellbeing and mental health, whereas living in a hotel for months at a time can be limiting and stressful. There are very few options (if any) available within walking distance of their offices.

Our guests are all highly skilled professionals who work long hours (12 hours per day) they work night and day shifts, and it's crucial that they have adequate sleep and are well rested. A quiet neighbourhood is essential for their well-being.

The company our guests work for have a zero-tolerance policy to any level of alcohol and drug use, and regular testing is mandatory for these professionals due to the highly skilled nature of their work. In addition to this, each of the guests must undergo full police checks on an international level to gain employment within the company.

If any complaint were to be received by a neighbouring property, this would be taken very seriously by Holt Accommodation Solutions Ltd and our guest's Head Office - where an investigation would be carried out. There has not been a complaint of any kind over the past year, and we are confident that there will not be one in the future.

The project that our guests are working on has the potential to last many years. However, because they work remotely, it means that their work can be carried out from any location within or even outside the UK. Currently the Bridge of Don is an important hub for operations, and we hope that this continues to be the case for years to come, especially in light of the downturn in the oil and gas sector over recent years. If finding accommodation were to become difficult, then a move in operations would be inevitable.

Aberdeen is forecast to experience the lowest economic growth of any UK city from 2025 to 2028. Oil workers living in Aberdeen contribute significantly to the national economy and on a local scale our guests contribute in cabs, purchases, use of gyms etc. We hire local cleaners, launderettes and use local tradesmen to ensure that the house is kept up to and beyond the legal standards required, as well as hiring local staff to manage the house.

Future.

If/when the contract with the oil company finally comes to an end, the plan is to sell the house. We have no interest in the house being leased as an Airbnb or similar, the intention was always to purchase a house for leasing as a corporate let and sell when the contract ends to free up capital and purchase wherever the next requirement may be.

If this should change, then we would hope that our lack of complaints to date and kind comments from neighbours would go some way to showing how we conduct ourselves and manage the house.

Summary

Louise Holt is a registered landlord in Aberdeen and also runs her own company (Holt Accommodation Solutions Ltd). Louise has a team of staff who ensure that all properties are managed correctly, and that all guests and neighbours are happy. This is an essential part of running a business long term and also her personal pride.

Since leasing 41 Shielhill Avenue in April 2024 there has not been a single complaint about our guests. More than one neighbour has commented that our guests are fantastic, they're quiet and friendly and have been called the "ideal neighbour". Their carbon footprint is practically zero, they work 7 days a week and are monitored by the company they work for. They contribute to the local economy, and we agree that they are the ideal neighbours.

We have addressed the concerns that objectors have raised and will always be open to any suggestions or comments that anyone on the development has, we ourselves wish to keep Dubford/Shielhill as quiet and lovely as it is now.

Kind regards

Rebecca Dare

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LICENSING COMMITTEE INFORMATION SHEET

14 May 2025

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION

NEW HOST-SECONDARY LETTING

APPLICANT: VICFLE PROPERTIES LIMITED

PROPERTY MANAGER: BLANCA MATTO

ADDRESS: FLAT 17, TRINITY HOUSE, TRINITY QUAY, ABERDEEN

INFORMATION NOTE

- Application Submitted 30/10/2024
- Determination Date 29/07/2025

This Short Term Let licence application is on the agenda of the Licensing Committee for the reason that 1 representation/objection was submitted to the Private Sector Housing Team.

If, after consideration of the representation/objection, the Committee is minded to grant the Short Term Let licence, it may do so under delegated powers since at the time of drafting this information note, the necessary certification has not been completed.

DESCRIPTION

The property at Flat 17, Trinity House, Trinity Quay, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises of a flat, with 1 bedroom, bathroom, kitchen and living room. The applicant wishes to accommodate a maximum of 1 guest, which is acceptable in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- Aberdeen City Council's Planning Team
- A public Notice of Short Term Let Application was displayed outside the building, alerting the public to the licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- Aberdeen City Council's Planning Team – no objections
- One objection email from Vikki Crombie (Attached as Appendix B)

The objection was received within the statutory time period therefore the Council must consider.

COMMITTEE GUIDELINES/POLICY

All applications for Short Term Let licences are dealt with in accordance with the Scottish Government's document:

[Short term lets - licensing scheme part 2: supplementary guidance for licensing authorities, letting agencies and platforms](#)

GROUNDINGS FOR REFUSAL

This application is being dealt with under the provisions of '[Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets\) Order 2022](#)' (the 2022 Order)

Available [grounds of refusal](#) are as follows:

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 under section 7(6) of this Act, 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

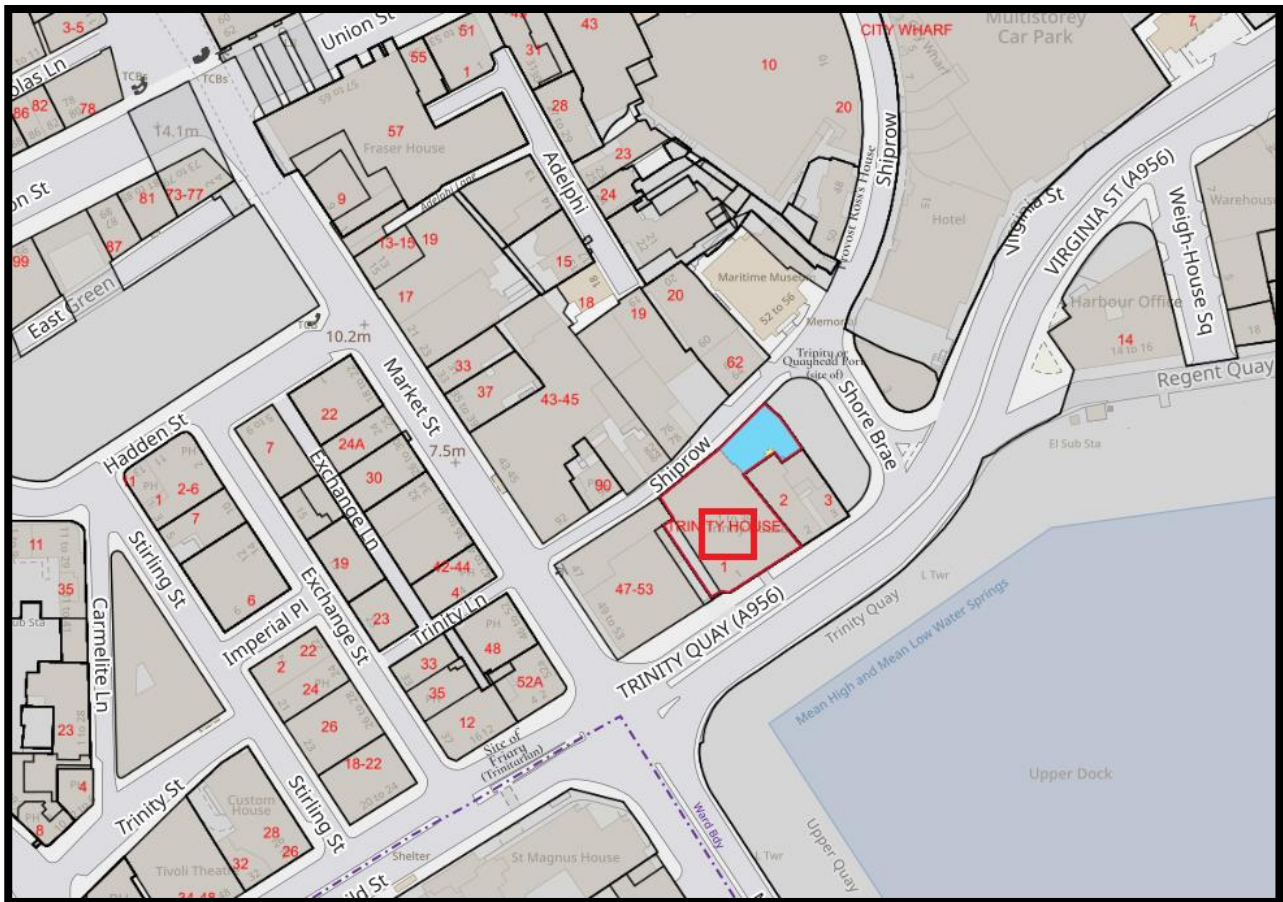
(v)public order or public safety; or

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

OTHER CONSIDERATIONS

- Landlord Registration is not a requirement of Short Term Let licensing.
- The Council's Community Safety Team has no record of anti-social behaviour complaints in respect of Flat 17, Trinity House, Trinity Quay, Aberdeen.
- There is one Granted Short Term Let licence at Flat 38, Trinity House Trinity Quay.
- The property is currently unlicensed. As the applicant is a new operator, the property cannot operate as a Short Term Let until the Licence application is determined.

‘A’



From: Vcromvie

Sent: 04 January 2025 17:34

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

Subject: Objection to Short Term Let: AC19690N: Flat 17, Trinity House, Trinity Quay, Aberdeen, AB11 5AA

> Good evening,

>

> I write to object to the granting of a Short Term Let Licence AC19690N for Flat 17, Trinity House, Trinity Quay, Aberdeen, AB11 5AA. It is unclear if this objection is late or not as the guidance mentions the date of application and the date in relation to a notice. Regardless, the reason this is being sent when it has is because a notice was only displayed sometime within the week immediately prior to New Year's Eve. It is therefore sent within one week of my becoming aware of the application.

>

> In my objection I would draw attention to grounds in respect of:

> (c)(i) As the character of the building is solely a development for residential properties, as prescribed in deeds. I appreciate the deeds in and of themselves are not a grounds for refusal but that being the case the building is of residential character and is unsuitable for commercial use which this licence, if granted, would allow;

> (c) (ii) As the nature and extent of the usage is unknown to myself. A lack of any information would surely follow onto refusal. A previous planning application was lodged to convert the premises which was objected to and withdrawn. It suggested a "hotel room" style usage such as an AirBnB. If this is the intended usage the premises are not suitable for that use;

> (c) (iii) As persons likely to be in the premises is unknown and/or not in the control of the owners. Especially if used as an AirBnB for example;

> (c) (iv) As there is the possibility of public nuisance without recourse as the owners are absent and as per (iii). Furthermore, given local press about local buildings with AirBnB usage etc. it unfortunately seems likely that the property may be abused. The owners will have no real way of addressing or preventing this and as any costs arising from misuse will fall to the owners as a whole causing unfair burdens; and

> (d) Factoring is a huge issue in the building and any additional commercial strain is likely to be at a cost disadvantage to current residents. This could lead to further issues with factoring or action if the owners of the let refuse to pay for damages solely caused by their property.

>

> The objections above would potentially be dropped were the property to be let more formally via an agency etc. and not a "hotel room" booking based usage.

>



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LICENSING COMMITTEE INFORMATION SHEET

14 May 2025

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION

NEW HOST- HOME LETTING

APPLICANT: WILMA GOODLAD

PROPERTY MANAGER: WILMA GOODLAD

ADDRESS: 97 OAKHILL GRANGE, ABERDEEN

INFORMATION NOTE

- Application Submitted 01/11/2024
- Determination Date 31/07/2025

This Short Term Let licence application is on the agenda of the Licensing Committee for the reason that 1 representation/objection was submitted to the Private Sector Housing Team.

If, after consideration of the representation/objection, the Committee is minded to grant the Short Term Let licence, it may do so since at the time of drafting this report, the necessary upgrading works and certification have been completed.

DESCRIPTION

The property at 97 Oakhill Grange, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises of a flat, with 3 bedrooms, 2 with an en-suite bathroom, 1 bathroom, kitchen and living room. The applicant wishes to accommodate a maximum of 2 guests, which is acceptable in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- Aberdeen City Council's Planning Team
- A public Notice of Short Term Let Application was displayed outside the building, alerting the public to the licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- Aberdeen City Council's Planning Team – no objections
- One objection letter from Maureen McMahon (Attached as Appendix B)

- One representation letter from the applicant (Appendix C)

The objection was received within the statutory time period therefore the Council must consider.

COMMITTEE GUIDELINES/POLICY

All applications for Short Term Let licences are dealt with in accordance with the Scottish Government's document:

[Short term lets - licensing scheme part 2: supplementary guidance for licensing authorities, letting agencies and platforms](#)

GROUNDINGS FOR REFUSAL

This application is being dealt with under the provisions of '[Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets\) Order 2022](#)' (the 2022 Order)

Available [grounds of refusal](#) are as follows:

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 under section 7(6) of this Act, 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

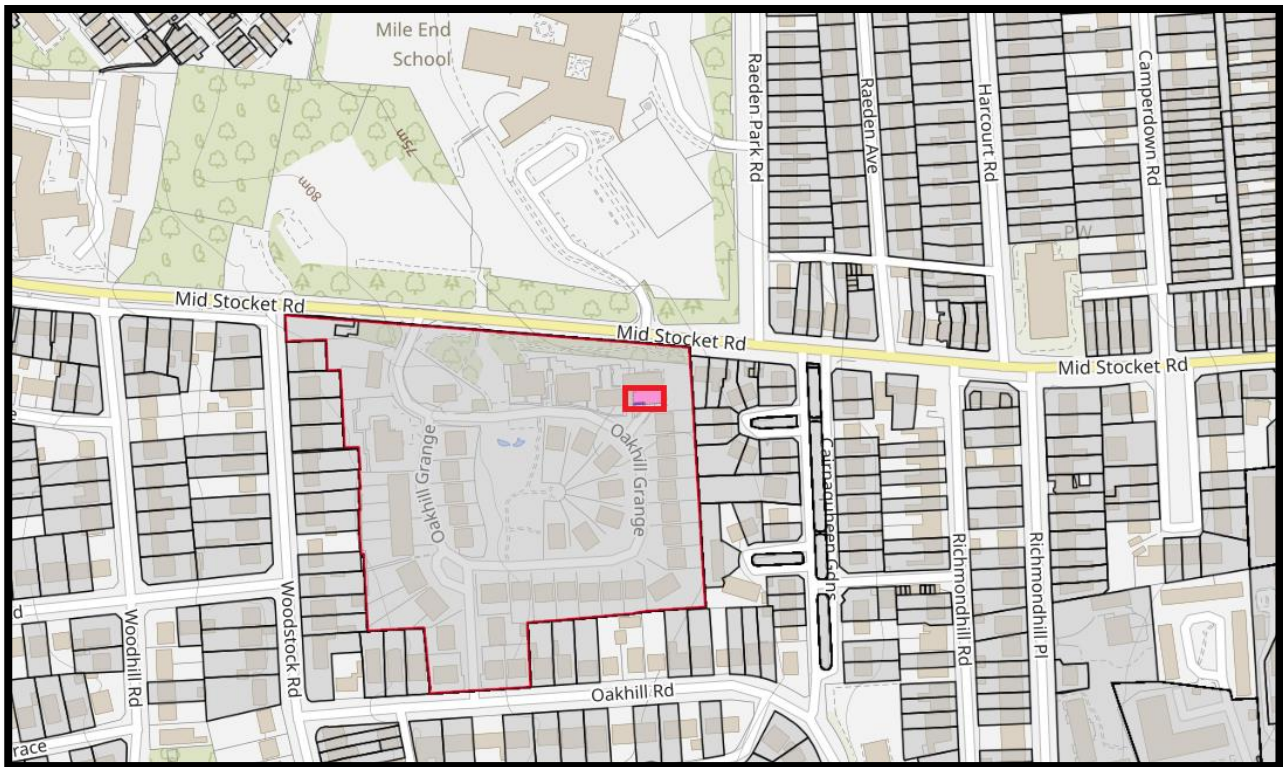
(v)public order or public safety; or

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

OTHER CONSIDERATIONS

- The Notice of Display was re-displayed by the applicant from 24 February 2025 for the statutory time period.
- A lockbox/key box is not a requirement of a Short Term Let licence. Permission from owners within the building is a requirement before installation of a lockbox/key box within a communal area.
- The Council's Community Safety Team has no record of anti-social behaviour complaints in respect of 97 Oakhill Grange, Aberdeen.
- There are currently no Granted Short Term Let licences at Oakhill Grange.
- The property is currently unlicensed. As the applicant is a new operator, the property cannot operate as a Short Term Let until the Licence application is determined.
- Landlord Registration is not a requirement of Short Term Let licensing.

'A'



‘B’

[REDACTED]

06 March 2025

To Whom It May Concern

Late Objection: Short Lets – AC61952N - 97 Oakhill Grange, Aberdeen

I wish to submit a late objection against 97 Oakhill Grange in being granted a Short Lets Licence.

I am unaware of a notice being publicised outside of their apartment, on the notice board in the apartment block and did not see a notice on the lamp post near the apartment block. Can you tell me where the notice was displayed?

When I bought my apartment, the secure system for the apartment block is using a fob and under no circumstances had the code to any of apartment block be issued. This has failed since No.97 has the code access and it is handed out to all their guests which now allows them to roam the apartment block and the underground car park which is private. The owner has also defaced communal property by attaching a lockbox to the facing of the door.

In this particular block there is an elderly and frail person living there. There are owners living there who want to enjoy their retirement but this will be difficult if the licence is granted and they don't know who and how many people will be guesting in the apartment and what destruction they could cause. There are 11 apartments in this block so why should the other 10 owners incur extra costs through Short Lets?

This estate is a lovely place to live and not a place for tourists to live in. Aberdeen has many hotels, B&Bs, guest houses and service apartments which tourism is their livelihood. So why is Aberdeen City Council encouraging Short Lets?

Who is monitoring the number of guests in the apartment at one time? Who do we contact as there is no contact details displayed?

If you grant this licence, this could cause this prime area standards to deteriorate rapidly. If a licence is granted to this apartment, I believe that all the apartments in the area will devalue more so. Several owners bought their apartment to enjoy retirement and relax on this lovely estate. If the licence is granted the enjoyment of living in this area will be stolen. I did not pay a lot of money for my apartment with security to allow "guests" to wonder freely through the apartment block. This not a holiday village. This is a residential area.

I assume someone from Aberdeen Council will be inspecting the apartment before any licence is passed?

Regards

[REDACTED]

Jocelyn Janssen
Aberdeen City Council
Marischal College Broad Street
Aberdeen
AB10 1AB

20 March 2025

Dear Ms. Janssen

Application for Short Term Let

Further to your letter of 18 March regarding our application, we would ask that you consider this letter in support of our application.

We understand Mrs. McMahon's concerns that our short term let application might change the nature of the flats from a quiet residential area into a place where tourists stay.

This will not be the case.

In the first place, 97 Oakhill Grange is our home where we stay for a large part of the year. Our flat will therefore only be available for short term lets when we are not there. In the second place we are only intending to rent out a small part of our flat. Only one bedroom (for a maximum of two people) will be available.

Our response to some of the specific points raised in Mrs. McMahon's letter, are as follows:

Our FOB has only been used by other family members who have stayed in our flat

We have carefully chosen the lockbox to be as small as possible. It has been placed outside our door in a very unobtrusive position.

I am happy to supply Mrs McMahon with our contact details

Yours Sincerely

[Redacted Signature]

LICENSING COMMITTEE INFORMATION SHEET

14 MAY 2025

INFORMATION NOTE

Current licensing policy requires the operation of 2 zones for licensed taxis, one which covers the area within airport boundary and one which covers the rest of the city. Policy also states that that airport vehicles may only operate within the city zone from 00.00 Saturday to 05.00 Sunday.

A request has been received to suspend the zoning policy (in terms of airport zoned vehicles operating in the city) for the duration of the Tall Ships event and Offshore Europe event as has been done for Offshore Europe previously.

The Tall Ships event takes place from Friday 18 July until Tuesday 22 July.

Offshore Europe takes place from Tuesday 2 September until Friday 5 September.

Members will have to determine whether to suspend the policy and if so suspended, the exact times and dates for the suspension to start and to end. The proposed relaxations are detailed below.

PROPOSAL

If there are members of the public waiting at City Zoned Ranks then Airport Licenced Taxis are permitted to pick up (in addition to the usual midnight – 5am Saturday & Sunday)

Tall Ships 2025

Friday 18th July 18:00 – Tuesday 22nd July 23:59

Offshore Europe 2025

Tuesday 2nd September – Friday 5th September 2025 – Full Days

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LICENSING COMMITTEE INFORMATION SHEET

14 MAY 2025

TYPE OF APPLICATION: Application for the Grant of a Public Entertainment Licence

APPLICANT: Aberdeen Sports Village

Location: Linksfield Road, Aberdeen

DESCRIPTION

- Application submitted 18/11/2024
- Determination Date 17/08/2025

An application has been submitted for a Public Entertainment Licence for Aberdeen Sports Village to cover Dance Halls, Martial Sports, Gyms, Sports Centres, Swimming Pools & Trampolining.

The premises currently hold an Indoor Sports Licence which would only cover its use as a Sports Centre.

Licensing are currently awaiting clear responses from ACC Building Standards and ACC Environmental Health, without which the application cannot be granted.

Two email reminders have been sent to the applicant without response.

CONSULTEES

- Environmental Health
- Building Standards
- Police Scotland

OBJECTIONS/REPRESENTATIONS

Licensing

COMMITTEE GUIDELINES/POLICY

Clear responses are required from Environmental Health & Building Standards

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.

LICENSING COMMITTEE INFORMATION SHEET

14 MAY 2025

TYPE OF APPLICATION: Application for the Renewal of a Late Hours Catering Licence

APPLICANT: Wandaland Ltd

Location: 44 Bridge Street, Aberdeen

DESCRIPTION

- Application submitted 26/11/2024
- Determination Date 25/08/2025

An application has been submitted for a Late Hours Catering Licence for Fuse Box, 44 bridge Street for Sunday-Thursday 23:00-03:00, Friday & Saturday 23:00 to 04:00 and Local Monday Holidays 23:00-04:00.

Licensing are currently awaiting clear responses from ACC Environmental Health, without which the application cannot be granted.

Environmental Health have confirmed that the premises has been closed for some time.

CONSULTEES

- Environmental Health
- Police Scotland

OBJECTIONS/REPRESENTATIONS

Licensing

COMMITTEE GUIDELINES/POLICY

Clear responses are required from Environmental Health

GROUNDS FOR REFUSAL

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

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

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

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

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

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

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

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

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

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

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

and otherwise shall grant the application.

Exempt information as described in paragraph(s) 14 of Schedule 7A of the Local Government (Scotland) Act 1973.

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