

LICENSING COMMITTEE

ABERDEEN, 18 February 2020. Minute of meeting of the LICENSING COMMITTEE. Present: Councillor Reynolds, Convener; and Councillors Allan, Bell, Greig (as substitute for Councillor Delaney), Henrickson, Macdonald (as substitute for Councillor Malik, Vice Convener), McRae (as substitute for Councillor Mennie), Sellar and Townson.

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

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

CONFIDENTIAL BUSINESS

1. The Committee was advised that the applications/requests listed from item 8.1 on the agenda were 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.

The Committee resolved:-

to note the information provided.

DECLARATIONS OF INTEREST

2. There were no declarations of interest intimated.

MINUTE OF PREVIOUS MEETING OF 3 DECEMBER 2019

3. The Committee had before it the minute of its meeting of 3 December 2019 for approval.

The Committee resolved:-

to approve the minute as a correct record.

MINUTE OF MEETING OF THE LICENSING SUB COMMITTEE OF 17 DECEMBER 2019

4. The Committee had before it the minute of meeting of the Licensing Sub Committee of 17 December 2019, for approval.

The Committee resolved:-

to approve the minute.

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COMMITTEE BUSINESS PLANNER

5. The Committee had before it the committee business planner as prepared by the Chief Officer – Governance.

The Committee resolved:-

to note the committee business planner.

TARIFFS AND DROP OFF CHARGES - REFERRAL FROM THE TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP

6. The Committee had before it a referral from the Taxi and Private Hire Car Consultation Group of 12 February 2020 relating to the taxi tariffs and drop-off charges at the Airport.

The Taxi and Private Hire Consultation Group resolved:-

to request that the Licensing Committee at their next meeting consider undertaking a further Fare Review at the earliest possible time.

The Committee resolved:-

to agree to undertake a further Fare Review at the earliest possible time.

APPLICATIONS FOR LICENCES

7. The Committee had before it, for its consideration, the applications listed in Appendix A to this minute.

The Committee resolved:-

that all applications be determined on the basis shown in Appendix A and that all licences were subject to the Council's standard conditions unless otherwise stated.

CONFIDENTIAL INFORMATION

The press and public were excluded from the meeting for consideration of the applications listed in section 8 on the agenda and appendix B of the minute which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.

APPLICATIONS FOR LICENCES - CONFIDENTIAL BUSINESS

8. The Committee had before it, for its consideration, the applications listed in Appendix B to the minute.

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The Committee resolved:-

that all applications be determined on the basis shown in Appendix B and that all licences were subject to the Council's standard conditions unless otherwise stated.

- **COUNCILLOR JOHN REYNOLDS, Convener**

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APPENDIX A

1. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION – 17 GORT ROAD, ABERDEEN**
Application Reference 7/01

The Committee noted that the licence had been granted under delegated powers.

2. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION – 41 WINGATE ROAD, ABERDEEN**
Application Reference 7/02

The Committee noted that the licence had been granted under delegated powers.

3. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION – 10D FROGHALL PLACE, ABERDEEN**
Application Reference 7/03

The Committee noted that the licence had been granted under delegated powers.

4. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION – FLAT 2, 48 SUMMERFIELD TERRACE, ABERDEEN**
Application Reference 7/04

The Committee noted that the letter of representation had been withdrawn, therefore the application would be considered under delegated powers.

5. **APPLICATION FOR THE GRANT OF A LATE HOURS CATERING LICENCE**
APPLICANT: TESTY KEBAB
LOCATION: 25-50 LANGSTANE PLACE, ABERDEEN
Application Reference 7/05

The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance in respect of the application which provided details relating to the grant of a late hours catering licence, specifically that the applicant had applied to operate from 23:00 to 04:00, Monday to Sunday, which was outwith the hours of the Council's Late Hours Catering Policy; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 28 November 2019.

The applicant, Mohamed Ahmed was not in attendance, nor represented.

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

The Committee resolved:-

to grant the licence on the basis of the operating hours as detailed in the Late Hours Catering Policy and therefore not beyond 03:00 Sunday to Thursday.

**6. APPLICATION FOR THE GRANT OF A LATE HOURS CATERING LICENCE
APPLICANT: MIDDLE EAST RESTAURANT
LOCATION: 11 HOLBURN STREET, ABERDEEN
Application Reference 7/06**

The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance in respect of the application which provided details relating to the grant of a late hours catering licence; (2) a letter of representation from the Principal Environmental Health Officer, Aberdeen City Council, dated 19 December 2019; and (3) four public letters of representation.

The applicant, Rebaz Mohammed Ismail was in attendance and spoke in support of his application.

Mr Gilchrist, Principal Environmental Health Officer was in attendance and spoke in support of his letter of representation. He advised that following a further inspection of the premises, the authority could not support approval of the licence at this time.

Jordan Sparrow, one of the respondents was in attendance and spoke in support of his letter of objection.

Three of the four respondents were not in attendance, nor represented.

The Committee asked questions of the applicant, the Principal Environmental Health officer and the respondent.

The respondent, the Principal Environmental Health officer and the applicant all summed up.

The Committee resolved:-

to defer consideration of the application until the next meeting of the Committee, to allow the applicant to undertake the necessary works on the premises to obtain the Environmental Health and Safety certificate.

**7. APPLICATION FOR THE GRANT OF A STREET TRADER'S LICENCE
APPLICANT: SUPAWADEE SAHAWONGWATTANA
Application Reference 7/07**

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The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 11 March 2020 and that he required a certificate of compliance from Environmental Health.

The applicant, Supawadee Sahawongwattana was not in attendance, nor represented.

The Committee resolved:-
to refuse the grant of the licence.

8. APPLICATION FOR THE GRANT OF A TAXI LICENCE
APPLICANT: GORDON OFFICER
Application Reference 7/08

The Committee noted that the application had been withdrawn.

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APPENDIX B

1. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 8/01

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 17 March 2020.

The licence holder was not in attendance, nor represented.

The Committee resolved:-

to defer consideration of the application to allow (1) evidence to be received in terms of the right to work and live in the United Kingdom; and (2) a medical report to be received and to agree that should a clear medical report be received, the Chief Officer - Governance could grant the licence under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Sub Committee for consideration.

2. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 8/02

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 22 March 2020.

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

The Committee resolved:-

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

3. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 8/03

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 29 March 2020.

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

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The Committee resolved:-

- (i) to note that the applicant verbally withdrew his application; and
- (ii) to agree that should the applicant meet the Group 2 DVLA medical criteria following receipt of a clear medical report, to waive the fee for that single application and the requirement for the applicant to undertake a street knowledge test.

4. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE **Application Reference 8/04**

The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 12 June 2020; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 7 January 2020.

The applicant and his representative John McLoone were in attendance and spoke in support of the application.

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

Sergeant MacLean and the applicant's representative both summed up.

The Committee resolved:-

to grant the renewal of the licence.

5. APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE **Application Reference 8/05**

The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 12 May 2020; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 29 November 2019.

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

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

Sergeant MacLean and the applicant both summed up.

The Committee resolved:-

to grant the licence.

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**6. APPLICATION FOR THE GRANT OF A STREET TRADER'S (EMPLOYEE) LICENCE
Application Reference 8/06**

The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 10 May 2020; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 29 November 2019.

The applicant was not in attendance, nor represented.

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

The Committee resolved:-

to defer consideration of the application to the next meeting of the Committee to enable the applicant to be present.

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