

## Licensing Committee

ABERDEEN, 19 January 2021. Minute of Meeting of the LICENSING COMMITTEE. Present:- Councillor Reynolds, Convener; Councillor Malik, Vice-Convener; and Councillors Allan, Bell, Greig (as substitute for Councillor Delaney), Henrickson, Radley, Sellar and Townson.

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

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

### DECLARATIONS OF INTEREST

1 Members were requested to intimate any declarations of interest in respect of the items on today's agenda, thereafter the following were intimated:-

- (1) Councillor Malik declared an interest in item 9.5 (request for the Suspension of a Late Hours Catering Licence), by virtue of him knowing the applicant. He considered that the nature of his interest required him to leave the meeting and he therefore took no part in the consideration of this item; and
- (2) Councillor Henrickson declared an interest in item 8.2 (Safety of Sports Grounds Act 1975 as amended – General Safety Certificate Pittodrie Certificate), by virtue of him being a small shareholder in the football club. He considered that the nature of his interest did not require him to leave the meeting and therefore chose to remain in the meeting for consideration of the item.

### MINUTE OF PREVIOUS MEETING OF 10 NOVEMBER 2020

2 The Committee had before it the minute of its previous meeting of 10 November 2020.

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

### MINUTE OF MEETING OF THE TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP OF 2 DECEMBER 2020

3 The Committee had before it the minute of meeting of the Taxi and Private Hire Car Consultation Group of 2 December 2020.

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

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### COMMITTEE BUSINESS PLANNER

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

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

- (i) to remove item 19 (Age Policy for Private Hire and Taxi Vehicles) and item 20 (Mixed Fleet Policy Options) for the reasons outlined in the Planner; and
- (ii) to otherwise note the content of the Committee Business Planner.

### NEW LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 25 UNIVERSITY ROAD

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

### RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - FIRST FLOOR FLAT, 64 GREAT WESTERN ROAD

6 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 had been submitted.

The applicant's agent, Ms Anna Munro, was in attendance and spoke in support of the application and responded to questions from members of the Committee.

The respondent was not in attendance.

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

- (i) to defer consideration of the application to allow officers to undertake an inspection of the property when Government restrictions are lifted and it is safe to do so, specifically to determine whether the laminate flooring has been laid upon an acoustic underlay; and
- (ii) to report their findings to a future meeting of the Committee, no later than the meeting on 26 October 2021.

### GRANT OF SKIN PIERCING AND TATTOOING LICENCE - DORATA ALINA MICHALSKA

7 The Committee had before it an information sheet prepared by the Chief Officer – Governance, which advised that the application had to be determined by 27 February 2021.

The applicant was not in attendance, nor represented.

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Sandy Munro, Legal Adviser indicated that due to the current restrictions as a result of the pandemic, the Environmental Health Team were unable to undertake an inspection.

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

- (i) to refuse the application; and
- (ii) should the applicant submit a new application, to agree to waive the fee for that single application.

### **GRANT OF A STREET TRADER LICENCE - NICOLA SWINBURN, KIRKHILL DRIVE, DYCE**

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

### **APPLICATION FOR CHANGES TO THE CITY CENTRE TAXI RANKS - COM/21/004**

9 The Committee had before it a report by the Chief Officer – Governance which sought approval to Taxi ranks following discussions with the taxi trade due to current access restrictions on city centre streets through the Spaces for People programme.

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

that the Committee –

- (a) approve the proposal from ACC Spaces for People Project for the suspension (a) and appointment (b) of taxi ranks as detailed below and as illustrated in Appendices A to G in terms of Section 19 of the Civic Government (Scotland) Act 1982:-

#### **(1) Full Time ranks – Suspension**

- **Hadden Street:**  
Westbound feeder rank 7 No. stances – as shown in Appendix A;
- **Back Wynd:**  
Southbound rank 15 No. stances – as shown in Appendix B;

#### **(2) Full Time ranks - Appointment**

- **Exchange Street:**  
Northbound 7 No. stances - as shown in Appendix C;
- **Rosemount Viaduct:**  
Eastbound 12 No. stances – as shown in Appendix D;
- **Exchequer Row/Shiprow:**  
Northbound 10 No. stances – as shown in Appendix E;
- **Union Row**  
Southbound 4 No. stances – as shown in Appendix F;
- **Justice Mill Lane**  
Westbound 3 No. stances – as shown in Appendix G;

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- (b) instruct the Chief Officer - Governance to undertake the formal consultation on the proposal to suspend and appoint taxi ranks as detailed in (a), in terms of Section 19 of the Civic Government (Scotland) Act 1982 with:-
- Persons or organisations appearing to be representative of taxi operators in the area, i.e. the Taxi and Private Hire Consultation Group;
  - The Chief Constable, Police Scotland;
  - The Public, by way of notice of the proposal in an advertisement in at least one newspaper circulating in the area giving 28 days for any objections or representations; and
  - Aberdeen City Council as the Roads Authority;
- (c) instruct the Chief Officer - Governance, if no objections received through the statutory process, to implement the suspension and appointment of these taxi ranks with the associated number of spaces at the locations detailed in (a) allowing the appointments to operate 24 hours a day, 7 days a week; and
- (d) instruct the Chief Officer - Governance to report back to a future meeting of the Licensing Committee on the outcome of formal consultation if objections are received through the statutory process.

**The Committee resolved:-**

to approve the recommendations.

### **SAFETY OF SPORTS GROUNDS ACT 1975 AS AMENDED - GENERAL SAFETY CERTIFICATE PITTODRIE CERTIFICATE - COM/21/012**

**10** The Committee had before it a report by the Chief Officer – Governance which sought approval for the adoption of the General Safety Certificate issued to Aberdeen Football Club Plc, annexed as Appendix 1 to the report.

**The report recommended:-**

that the Committee –

- (a) approve the General Safety Certificate Version 2.0 as amended December 2020;
- (b) instruct the Chief Officer - Governance to issue the amended certificate to Aberdeen Football Club Plc; and
- (c) delegate authority to the Chief Officer - Governance to approve any variation to or deletion of Appendix 6 in respect of COVID 19 measures and to issue an amended certificate, as necessary.

**The Committee resolved:-**

- (i) to approve the recommendations; and
- (ii) that officers contact Aberdeen Football Club to determine where records of maintenance, inspections and tests were being kept for a minimum period of five years or longer if required by British Standards or manufacturer's instruction and to circulate their response to Councillor Bell.

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### CONFIDENTIAL INFORMATION

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

### RENEWAL OF A LANDLORD REGISTRATION

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

### RENEWAL OF A STREET TRADER LICENCE

12 The Committee had before it (1) an information note prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 15 August 2021; (2) a letter from the applicant dated 18 January 2021, circulated following the publication of the agenda; and (3) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 9 December 2020.

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

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

Sergeant Flett and the applicant both summed up.

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

to grant the renewal of the licence.

### RENEWAL OF A TAXI DRIVER LICENCE

13 The Committee had before it (1) an information note prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 17 July 2021; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 6 November 2020.

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

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

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Sergeant Flett and the applicant both summed up.

**The Committee resolved:-**

to grant the renewal of the licence.

**RENEWAL OF A TAXI DRIVER LICENCE**

**14** The Committee had before it (1) an information note prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 8 September 2021; (2) a letter submitted by the applicant's employer dated 15 January 2021, circulated following publication of the agenda; and (3) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 16 December 2020.

The Licence holder was represented by Mr Tony Dawson, both were in attendance and spoke in support of the application.

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

Sergeant Flett and the applicant's agent both summed up.

**The Committee resolved:-**

to grant the renewal of the licence.

**DECLARATION OF INTEREST**

**In accordance with article 1 of this minute, Councillor Malik withdrew from the meeting prior to consideration of the following item of business.**

**REQUEST FOR THE SUSPENSION OF A LATE HOURS CATERING LICENCE**

**15** The Committee had before it (1) an information note prepared by the Chief Officer – Governance which advised that a request had been received by Police Scotland for the suspension of a Late Hours Catering licence held by the licence holder in terms of paragraphs 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 ("the Schedule"); and (2) a letter from the Chief Superintendent, Police Scotland, North East Division dated 18 December 2020.

The licence holder was not in attendance, nor represented.

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

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**The Committee resolved:-**

to revoke the licence.

**REQUEST FOR THE SUSPENSION OF A TAXI DRIVER LICENCE**

**16** The Committee had before it (1) an information note prepared by the Chief Officer – Governance which advised that a request had been received by Police Scotland for the suspension of a taxi driver’s licence held by the licence holder in terms of paragraphs 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 (“the Schedule”); and (2) a letter from the Chief Superintendent, Police Scotland, North East Division dated 17 November 2020.

Sergeant Flett was in attendance on behalf of Police Scotland and spoke in support of the letter.

The licence holder was in attendance and spoke in response to the request for suspension of the licence.

The Committee asked questions of Sergeant Flett and the licence holder.

The licence holder and Sergeant Flett summed up.

**The Committee resolved:-**

to take no action.

**REQUEST FOR THE SUSPENSION OF A TAXI DRIVER LICENCE**

**17** The Committee had before it (1) an information note prepared by the Chief Officer – Governance which advised that a request had been received by Police Scotland for the suspension of a taxi driver’s licence held by the licence holder in terms of paragraphs 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 (“the Schedule”); (2) a letter from the Chief Superintendent, Police Scotland, North East Division dated 9 December 2020; (3) a letter from the applicant’s employer dated 14 January 2021, circulated after the publication of the agenda.

Sergeant Flett was in attendance on behalf of Police Scotland and spoke in support of the letter.

The licence holder and his representative Mr Tony Dawson were in attendance, and his representative spoke in response to the request for suspension of the licence and in support of the licence holder.

The Committee asked questions of Sergeant Flett and the licence holder’s representative.

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The licence holder's representative and Sergeant Flett summed up.

**The Committee resolved:-**

to suspend the licence holder for the unexpired portion of their licence (Licence Expiry Date - 28 February 2021).

- **COUNCILLOR JOHN REYNOLDS, Convener**