

LICENSING COMMITTEE

ABERDEEN, 1 June, 2011. Minute of Meeting of the LICENSING COMMITTEE. Present:- Councillor Reynolds, Convener; and Councillor Kirsty West, Vice Convener; and Councillors Allan, Boulton, Collie, Corall, Dunbar (Substituting for Councillor Cormie), Farquharson (Substituting for Councillor Milne), Hunter, Malone (Substituting for Councillor Fletcher up to and including Item 3.9 on the agenda), Noble, Robertson (Substituting for Councillor Fletcher from Item 3.10 on the agenda) and John Stewart.

The agenda and reports associated with this minute can be found at:-

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MId=1933&Ver=4>

REQUEST FOR DEPUTATIONS

1. In accordance with Standing Order 10(1), the Convener advised that a request for deputation had been received from Mr Russell McLeod on behalf of the Aberdeen Taxi Group in relation to the reports on Taxi Substitution Fees, Variation of Condition – Utilisation of Night Time Taxi Ranks and Variation of Condition on Airport Zoned Taxi Licences (as detailed at articles 10, 12 and 13 of this minute).

The Committee resolved:-

to accept and hear the deputations prior to considering the relevant report.

DETERMINATION OF EXEMPT ITEMS OF BUSINESS

2. Prior to considering the matters before the Committee, Members were requested to resolve that any exempt business on the agenda be considered with the press and public excluded.

The Committee resolved:-

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

LICENSING COMMITTEE
1 June, 2011

MINUTE OF SPECIAL MEETING OF 22 MARCH 2011

3. The Committee had before it the minute of meeting of the special Licensing Committee of 22 March 2011.

The Committee resolved:-
to approve the minute.

MINUTE OF PREVIOUS MEETING OF 23 MARCH 2011

4. The Committee had before it the minute of its previous meeting of 23 March 2011.

In relation to Article 7 (Licence Application Fees: April 2011 – March 2011), the Clerk advised that there had been a misprint in appendix 2B of the report relating to the income based on the proposed taxi substitution fee. He intimated that the income figure should have read £7000, instead of £6000.

The Committee resolved:-
(i) to note the information provided: and
(ii) to approve the minute.

MINUTES OF MEETING OF THE EVIDENTIAL HEARING SUB-COMMITTEE OF 4 MARCH (2 MEETINGS) AND 29 MARCH 2011

5. The Committee had before it the minutes of the Evidential Hearing Sub-Committee of 4 March (2 meetings) and 29 March 2011.

The Committee resolved:-
(i) that Councillor Boulton would replace a member from the SNP Group on the Evidential Hearings Sub-Committee;
(ii) that the SNP Group notify the Clerk which member would be replaced; and
(iii) to otherwise note the minutes.

LICENSING COMMITTEE
1 June, 2011

COMMITTEE BUSINESS STATEMENT

6. The Committee had before it, for its consideration, the Committee Business Statement.

In relation to Item 3 (Criminal Justice and Licensing (Scotland) Act 2010), Eric Anderson, Senior Solicitor advised that there was an error in the guidance originally submitted by the Scottish Government in terms of the date when the provision for Public Entertainment Licences would take effect. He intimated that the date should be 1st April, 2012 and not 1st April, 2011 as previously reported.

The Committee resolved:-

- (i) to remove Item 1 (Variation of Condition on Airport Zone Taxi Licences) and Item 2 (Improvements to Night Time Taxi Ranks) from the Statement;
- (ii) to note the information provided; and
- (iii) to otherwise note the Business Statement.

MINUTE OF MEETING OF THE TAXI CONSULTATION GROUP OF 23 MARCH 2011

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the Committee consider the following item of business as a matter of urgency in order that the issue could be resolved timeously.

7. The Committee had before it the minute of meeting of the Taxi Consultation Group of 23 March, 2011.

The Committee resolved:-

to note the minute.

LICENSING COMMITTEE
1 June, 2011

**APPLICATIONS FOR GRANT, RENEWAL OR VARIATION OF LICENCES –
LIST OF APPLICATIONS**

8. 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 be subject to the Council's normal conditions unless otherwise stated.

**REQUEST FOR PERMISSION TO SUBSTITUTE A SALOON CAR ONTO A TAXI
OPERATOR'S LICENCE – IAN MELDRUM**

9. The Committee heard Eric Anderson, Senior Solicitor provide background information in relation to a request by Mr Ian Meldrum for permission to substitute a saloon car onto a Taxi Operator's Licence.

The Committee heard from Mr William Wallace, the Unite Union, representing Mr Meldrum on the circumstances surrounding his request.

Mr Meldrum gave permission for Mr Anderson to read from a letter submitted by Mr Meldrum's GP.

The Committee resolved:-

to agree to the request to substitute a saloon car onto a Taxi Operators Licence.

TAXI SUBSTITUTION FEES

10. As agreed at the start of the meeting (Article 1 refers), the Committee received a deputation from Mr Russell McLeod, on behalf of the Aberdeen Taxi Group (ATG) on their proposal that the cost for a Taxi Substitution Fee of £35.00 include the cost for the supply and fit of a new taxi plate.

Mr McLeod indicated that at its meeting on 23rd March 2011 the Licensing Committee discussed and agreed its Licensing Application Fees for 2011/12 part of which was the reintroduction of a substitution fee of £35.00. He explained that it was therefore a surprise when on presenting a vehicle for substitution, taxi drivers were asked to pay £35.00 for the substitution fee and a further £15.00 for a new taxi plate. He concluded by intimating that it was the ATG's view that when the

LICENSING COMMITTEE
1 June, 2011

Committee agreed its fees for the coming year it was their understanding that the supply and fit of a new taxi plate would be included within the Taxi Substitution Fee of £35.00.

The Committee had before it a report by the Director of Corporate Governance which sought to clarify that the Committee's fee for substitution of a new vehicle to a taxi licence was separate from the fee for a new identification plate.

The report recommended:-

that the Committee –

confirm that the fee for substitution of a vehicle is £35, which includes the vehicle test and associated paperwork, and confirm that a new vehicle identification plate is to be charged separately at a cost of £15.

The Committee resolved:-

that the fee for the substitution of a vehicle for financial year 2011/12 is £35.00, which includes the vehicle test, associated paperwork and a new vehicle identification plate.

IMPROVEMENTS TO NIGHT-TIME TAXI RANKS

11. With reference to Article 11 of the minute of meeting of 15th September 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which outlined the results of the statutory consultation for the proposed fourth night time taxi rank and of the proposal to change the operational times of the night time taxi ranks to seven days a week.

The costs associated with the proposal to install the fourth night time taxi rank on Castle Street, Aberdeen totalled £12,000, of which £4,000 had been secured from Aberdeen City Council's Licensing Service, £2,000 from Aberdeen City Council's Community Safety Budget and £6,000 match funding allocated from the Risk Management Grant

The report recommended:-

that the Committee –

- (a) instruct officers to introduce the fourth night time taxi rank; and
- (b) instruct officers to implement the changes to the operating times of the night time taxi ranks from midnight to 5am on Saturdays and Sundays to operate from midnight to 5am seven nights a week.

LICENSING COMMITTEE
1 June, 2011

The Committee resolved:-

to approve the recommendations.

VARIATION OF CONDITION – UTILISATION OF NIGHT-TIME TAXI RANKS

12. The Committee received a deputation from Mr Russell McLeod, on behalf of the Aberdeen Taxi Group (ATG) in relation to the wording of the proposed variation of a condition of taxi driver's licences in terms of the utilisation of night-time taxi ranks.

Mr McLeod advised that the wording of the new condition required to be very clear and suggested that it be reworded to read "It is an offence to wait in or pick up from a closed rank". He explained that the rewording should not only include normal ranks when they are closed but also include night time ranks when they are not operational.

With reference to Article 6 of the minute of the previous meeting of 23rd March 2011, the Committee had before it a report by the Director of Corporate Governance which provided details of the responses to the statutory consultation following the proposal to vary the conditions for taxi driver's licences to ensure that drivers do not operate from closed taxi ranks at any time.

The report recommended:-

that the Committee –

- (a) consider the comments (objections/representations) from the licence holders; and
- (b) decide whether or not to ratify the new condition.

Mr Gordon Anderson, one of four taxi drivers who responded in writing to the statutory consultation process and who was in attendance at the meeting voiced his concerns over the proposal which in his view penalised taxi drivers.

The Committee resolved:-

- (i) to approve the following variation of condition to the taxi driver's licence:- "At any time when any designated taxi rank is closed the driver of a taxi shall not park, stop his taxi, ply for hire or otherwise canvass or importune for employment at that closed taxi rank"; and
- (ii) to otherwise note the comments, objections and representations from taxi licence holders.

LICENSING COMMITTEE
1 June, 2011

VARIATION OF CONDITION ON AIRPORT ZONED TAXI LICENCES: OUTCOME OF ADDITIONAL TRIAL PERIOD

13. The Committee received a deputation from Mr Russell McLeod, on behalf of the Aberdeen Taxi Group (ATG) in relation to the outcome of the additional trial period regarding to the variation of condition on airport zoned taxi licences

Mr McLeod advised that although the trade agreed that any extra taxis on a Saturday night would be welcomed by the public, it was their view that the Committee need to consider the impact this could have on city drivers. He indicated that he was still of the opinion that there was no demand for the airport drivers to work in the city 52 weeks of the year, but there was a demand during the winter months. He proposed that the Committee consider allowing airport taxis to work midnight to 5.00am on a Sunday only during the winter months, which could easily be determined and run from the end of British Summer Time, last weekend in October, through till the clock change on the last weekend in March beginning of British Summer time. Drivers could be informed of these times in writing 2/3 weeks prior to the change.

With reference to Article 9 of the minute of meeting of 17th September 2010, the Committee had before it a report by the Director of Corporate Governance which provided a response to the Committee's instructions made in relation to its report "Variation of Condition on Airport Zoned Taxi Licences: Outcome of Trail Period"

The report recommended:-

that the Committee considers the information provided and decides to –

- (a) make the situation permanent by varying the condition to enable airport zoned taxis to continue to operate in the city zone between midnight and 5am on Saturday nights/Sunday mornings; or
- (b) revert to the position before the trial period whereby all airport zoned taxis operate only from the airport.

If the Committee decides to adopt option (a) above it is recommended that the Committee instruct officers to carry out the statutory variation procedure; continue the trial period until the statutory variation procedure is completed; and report back to the Committee.

The Convener, seconded by Councillor John Stewart moved:-
that recommendation (b) above be approved.

The Vice Convener, seconded by Councillor Boulton moved as an amendment:-
that recommendation (a) above be approved and that Transport Marshals be requested to undertake a further survey to gather data in terms of the waiting

LICENSING COMMITTEE
1 June, 2011

times and the number of hires by airport zoned and other taxi drivers at all ranks at various intervals throughout the evening and night during August or September 2011

On a division, there voted:- for the motion (2) – the Convener and Councillor John Stewart; for the amendment (10) the Vice-Convener and Councillors Allan, Boulton, Collie, Corall, Dunbar, Robertson, Hunter, Farquharson and Noble.

The Committee resolved:-
to adopt the amendment.

**APPLICATIONS FOR GRANT, RENEWAL OR VARIATION OF LICENCES –
LIST OF APPLICATIONS TO BE HEARD IN PRIVATE**

In accordance with the decision recorded under Article 2 of this minute, the following item was considered with the press and public excluded.

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

The Committee resolved:-
that all applications be determined on the basis shown in Appendix B and that all licences be subject to the Council's normal conditions unless otherwise stated.
- **COUNCILLOR JOHN REYNOLDS, Convener.**

LICENSING COMMITTEE
1 June, 2011

APPENDIX A

1. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 3/001
Premises – 34 Garthdee Drive, Aberdeen

The Committee were advised that two letters of objection had been submitted in relation to the application.

The Committee heard from Mr Alistair Watson who had submitted an objection to the application. He requested that his objection now be withdrawn.

The Committee resolved:-

to agree that officers could grant the application under delegated powers subject to the completion of the works on the premises.

2. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 3/002
Premises – 51 Bedford Place, Aberdeen

The Committee were advised that the works and the certification requirements had not been met.

The Committee resolved:-

to defer consideration of the application until works on the premises were completed, after which time officers could grant the application under delegated powers if appropriate.

3. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 3/003
Premises – 71 Craigievar Crescent, Aberdeen

The Committee heard from Mr James Steel, Solicitor, Raeburn Christie on behalf of the applicant in support of the application.

LICENSING COMMITTEE
1 June, 2011

The Committee resolved:-

to refuse the application on the ground contained in Paragraph 5(3)(b) of Schedule 1 of the Civic (Scotland) Act 1982 namely that 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 refusal of such a licence if he had made the application himself.

4. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (ICE CREAM) LICENCE**
Application Ref No. 3/004
Sites – Zones 5 and 6
Days/Times – Monday to Sunday, 11:00 to 22:30

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

5. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (GENERAL) LICENCE**
Application Ref No. 3/005
Site – Zone 9: City Centre
Days/Times – Monday to Saturday, 07:00 to 18:00

The Committee were reminded of the recent changes to its standard conditions applicable to street trader's licences and in particular the addition of the following condition: "subject to the explicit consent in writing from the Licensing Authority, no street trader shall engage in the hawking, selling or offering or exposing for sale any type of food and/or drinks within a four hundred (400) metres radius of a secondary school at any time. Without prejudice to any statutory rights that the licence holder may have, the Council shall be the ultimate arbiter in determining what may constitute the outer boundary of a school for this purpose".

The Committee heard from Carol Petrie in support of her application.

The Committee resolved:-

- (i) to grant the application subject to its updated standard conditions and
- (ii) to note that it would not be permissible for the applicant to trade within 400 metres of the secondary school.

LICENSING COMMITTEE
1 June, 2011

6. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS
(GENERAL) LICENCE**
Application Ref No. 3/006
Sites – All Areas Except Zone 9
Days/Times – Monday to Friday, 08:00 to 17:00

The Committee were reminded of the recent changes to its standard conditions applicable to street trader's licences and in particular the addition of the following condition: "subject to the explicit consent in writing from the Licensing Authority, no street trader shall engage in the hawking, selling or offering or exposing for sale any type of food and/or drinks within a four hundred (400) metres radius of a secondary school at any time. Without prejudice to any statutory rights that the licence holder may have, the Council shall be the ultimate arbiter in determining what may constitute the outer boundary of a school for this purpose".

The Committee resolved:-

- (i) to grant the application subject to its updated standard conditions and
- (ii) to note that it would not be permissible for the applicant to trade within 400 metres of the secondary school.

7. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT
FOOD) LICENCE**
Application Ref No. 3/007
Sites – Crombie Road North Side 15m East of Crombie Place
Days/Times – Monday to Friday, 08:00 to 14:00

The Committee were reminded of the recent changes to its standard conditions applicable to street trader's licences and in particular the addition of the following condition: "subject to the explicit consent in writing from the Licensing Authority, no street trader shall engage in the hawking, selling or offering or exposing for sale any type of food and/or drinks within a four hundred (400) metres radius of a secondary school at any time. Without prejudice to any statutory rights that the licence holder may have, the Council shall be the ultimate arbiter in determining what may constitute the outer boundary of a school for this purpose". It was explained that the application site was located within 400 metres of Torry Academy secondary school but that the applicant's hot food van predominantly serves customers working and visiting the nearby industrial units.

The Committee heard from Teresa Jarvie in support of her application.

LICENSING COMMITTEE
1 June, 2011

The Committee resolved:-

- (i) to grant the application subject to its updated standard conditions but
- (ii) to allow the applicant to trade within 400 metres of the secondary school.

8. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT FOOD) LICENCE**

Application Ref No. 3/008

Sites – Whitemyers Avenue North Side 150m East of Whitemyers Place

Days/Times – Monday to Saturday, 06:00 to 18:00

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

9. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT FOOD) LICENCE**

Application Ref No. 3/009

Sites – Howe Moss Drive 20m North of Howe Moss Place

Days/Times – Monday to Saturday, 07:30 to 15:30

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

10. **APPLICATION FOR THE GRANT OF A STREET TRADERS (HOT FOOD) LICENCE (NEW SITE)**

Application Ref No. 3/010

Sites – Beach Esplande South End, 30m North of Footdee Public Toilets on the Right Hand Side

Days/Times – Monday to Sunday, 06:00 to 16:00

The Committee heard Eric Anderson, Senior Solicitor, Licensing advise that one letter of objection had been received. He also explained that the applicant wished to trade from 06:00, which would breach the licensing condition that trading would commence at 07:00.

The Committee heard from Martin Sherwood in support of his application.

Councillor Robertson, seconded by Councillor Collie moved:-

“to grant the application subject to the trading times being 07:00 to 16:00”.

LICENSING COMMITTEE
1 June, 2011

Councillor Boulton, seconded by Councillor Corall moved as an amendment:-

“to grant the application and to allow trading to commence at 06:00 until 16:00”.

On a division, there voted:- for the motion (5) – Councillors Allan, Collie, Robertson, Hunter and John Stewart; for the amendment (7) – the Convener, the Vice-Convener and Councillors Boulton, Corall, Dunbar, Farquharson and Noble.

The Committee resolved:-

to adopt the amendment outlined above.

11. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT FOOD) LICENCE**

Application Ref No. 3/011

Sites – (1) Bedford Avenue – Junction with St Machar Drive, (2) Gardner Drive at Entrance to Shops, (3) Oldcroft Place Across from the Shops, (4) Stance at Links Golf Course

Days/Times – Monday to Sunday, 08:00 to 19:00

The Committee heard Eric Anderson, Senior Solicitor, Licensing advise that the applicant had failed to provide a certificate by the food authority stating that the applicant’s van complies with the appropriate requirements.

The Convener, seconded by the Vice Convener moved:-

“that the application be deferred until the next meeting as the applicant does not have the necessary certificate of compliance for the van”.

Councillor Allan, seconded by Councillor Hunter moved as an amendment:-

“that the application be considered by the Committee today”

On a division, there voted:- for the motion (7) – the Convener, the Vice-Convener and Councillors Boulton, Corall, Dunbar, Farquharson and Noble for the amendment (5) – Councillors Allan, Collie, Robertson, Hunter and John Stewart;

The Committee resolved:-

to defer consideration of the application until the next meeting.

LICENSING COMMITTEE
1 June, 2011

In terms of Standing Order 15(6), Councillor Allan declared her dissent in relation to the preceding decision.

12. **APPLICATION FOR THE GRANT OF A STREET TRADERS (GENERAL) LICENCE**
Application Ref No. 3/012
Sites – Zone 9: City Centre
Days/Times – Monday to Sunday, Various Days Throughout the Year

DECLARATION OF INTEREST

The Convener declared an interest in the subject matter of this item of business by virtue of the nature of goods the applicant would be trading in. He left the meeting during consideration thereof.

In the absence of the Convener and Vice-Convener, Councillor John Stewart took the Chair for this item.

The Committee heard from Mr Dawson on behalf of the applicant in support of the application.

The Committee resolved:-

to grant the application and to allow the applicant to trade on Union Street, Aberdeen.

13. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT FOOD) LICENCE (NEW SITE)**
Application Ref No. 3/013
Sites – (1) Kittybrewster Retail Park, (2) PC World Car Park, Hutcheon Street
Days/Times – Monday to Saturday, 09:00 to 18:00

The Committee were reminded of the recent changes to its standard conditions applicable to street trader's licences and in particular the addition of the following condition: "subject to the explicit consent in writing from the Licensing Authority, no street trader shall engage in the hawking, selling or offering or exposing for sale any type of food and/or drinks within a four hundred (400) metres radius of a secondary school at any time. Without prejudice to any statutory rights that the licence holder may have, the Council shall be the ultimate arbiter in determining what may constitute the

LICENSING COMMITTEE
1 June, 2011

outer boundary of a school for this purpose". It was explained that the application site at Kittybrewster Retail Park was located within 400 metres of St Machar Academy secondary school but that the applicant's hot food van predominantly serves customers working and visiting the nearby retail units.

The Committee resolved:-

- (i) to grant the application subject to its updated standard conditions but
- (ii) to allow the applicant to trade within 400 metres of the secondary school.

14. **APPLICATION FOR THE GRANT OF A STREET TRADERS (HOT FOOD) LICENCE (NEW SITE)**

Application Ref No. 3/014

Sites – Greenhole Place, Bridge of Don, 50m West of Broadfold Road

Days/Times – Monday to Friday, 07:30 to 14:30

The Committee heard Andrew Gilchrist, Principal Environmental Health Officer advise that the applicant did not have the necessary certificate of compliance for the van.

The Committee heard Maureen Ross in support of her application.

The Committee resolved:-

- (i) to defer consideration of the application; and
- (ii) to allow officers to grant the application under delegated powers subject to the submission of a certificate of compliance for the van.

15. **APPLICATION FOR THE VARIATION OF A STREET TRADERS (HOT FOOD) LICENCE (NEW SITE)**

Application Ref No. 3/0015

Sites – Beach Esplanade, 101m from Burger King towards Footdee on the Left Hand Side.

Days/Times – Monday to Sunday, 08:00 to 20:00

The Committee were advised that a letter of objection had been submitted in relation to the application.

The Committee heard from Mr James Johnson on behalf of the applicant in support of the application.

LICENSING COMMITTEE
1 June, 2011

The Committee resolved:-

to grant the application subject to the trading times being 08:00 to 19:00.

16. **APPLICATION FOR THE RENEWAL OF A THEATRE LICENCE**
Application Ref No. 3/016
Applicant – Aberdeen City Council (Riverbank School)

The Committee resolved:-

to grant the application.

17. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**
Application Ref No. 3/017
Applicant – Pure NRG Fitness Ltd, First Floor, Unit 1B, Berryden Retail Park

The Committee were advised that the application had been withdrawn.

18. **APPLICATION FOR THE RENEWAL OF A PUBLIC ENTERTAINMENT LICENCE**
Application Ref No. 3/018
Applicant – Danestone Community Association, Fairview Street

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

19. **APPLICATION FOR THE GRANT OF A TAXI DRIVERS LICENCE**
Application Ref No. 3/019
Applicant – Brenda Donald

The Committee were advised that the application had been withdrawn

LICENSING COMMITTEE
1 June, 2011

APPENDIX B

1. **APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE**
Application Ref No. 5/001

The Committee heard from Sergeant Keith Middler, Grampian Police, who referred to the Chief Constable's letter of observation dated 24th March 2011. Sergeant Middler intimated that the applicant had passed the Street Knowledge Test

The Committee heard from the applicant in support of his application.

The Committee resolved:-
to grant the application

2. **APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE**
Application Ref No. 5/002

The Committee heard from Sergeant Keith Middler, Grampian Police, who referred to the Chief Constable's letter of observation dated 5th May 2011. Sergeant Middler also intimated that the applicant had passed the Street Knowledge Test

The Committee heard from the applicant's representative in support of his application.

Councillor Hunter, seconded by Councillor Dunbar moved:-
"that the application be refused on the grounds that the applicant was not a fit and proper person to hold a licence"

Councillor Boulton, seconded by Councillor Corall moved as an amendment:-
"that the application be granted for a period of six months"

On a division, there voted:- for the motion (5) – the Convener, the Vice-Convener and Councillors Dunbar, Robertson and Hunter; for the amendment (4) – Councillors Boulton, Corall, Farquharson and Noble.

The Committee resolved:-
to adopt the motion to refuse the application

LICENSING COMMITTEE
1 June, 2011

3. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE**
Application Ref No. 5/003

The Committee heard from Sergeant Keith Middler, Grampian Police, who referred to the Chief Constable's letter of observation dated 9th May 2011.

The Committee heard from the applicant's representative Mr Budge, Solicitor in support of his application.

The Committee resolved:-
to grant the application for a period of six months.