

LICENSING COMMITTEE

ABERDEEN, 23 November 2011. Minute of Meeting of the LICENSING COMMITTEE. Present:- Councillor Kirsty West, Convener; and Councillors Allan, Boulton (for items 1.1 to 6.2 on the agenda), Collie (for items 1.1 to 6.11 on the agenda), Cormack, Cormie, Crockett (as substitute for Councillor Collie from item 6.12 on the agenda), Fletcher, Leslie, MacGregor, Milne (as substitute for Councillor Boulton from item 6.3 on the agenda), Noble, Robertson (as substitute for Councillor John Stewart) and Townson.

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MId=1935&Ver=4>

REQUESTS FOR DEPUTATIONS

1. In accordance with Standing Order 10(1), the Convener advised that a request for deputation had been received from (1) Mr Graeme McColl on behalf of the Aberdeen Taxi Group regarding the reports relating to the Taxi Demand Survey, Taxi Fare Review and Review of the Night Time Ranks and Closed Ranks Condition (as detailed at Articles 3, 4 and 7 of this minute); and (2) Mr Tommy Campbell on behalf of the Unite Union regarding the reports relating to the Taxi Demand Survey and Review of the Night Time Ranks and Closed Ranks Condition (as detailed at Articles 3 and 7 of this minute).

The Committee resolved:-

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

MINUTE OF MEETING OF THE TAXI CONSULTATION GROUP OF 24TH OCTOBER 2011

2. The Committee had before it the minute of meeting of the Taxi Consultation Group of 24th October, 2011.

The Committee resolved:-

to note the minute.

TAXI DEMAND SURVEY - CG/11/138

3. With reference to Article 16 of the minute of the previous meeting of 14th September 2011, the Committee received a PowerPoint presentation from James Cooper, Edinburgh Napier University in relation to the results of the Taxi Demand Survey.

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As agreed at the start of the meeting (Article 1 of this minute refers), the Committee received a deputation from Steve Robertson and Tom Wilson on behalf of the Unite Union and Graeme McColl on behalf of the Aberdeen Taxi Group (ATG).

The Committee heard from Steve Robertson and Tom Wilson (Unite Union) on the increase in the number of taxis in the city, the costs of maintaining a taxi including fuel and car insurance increases and the current situation with the taxi ranks. Mr Wilson suggested that the Committee consider a cap on the number of taxi licences.

The Committee then heard from Graeme McColl (ATG) who sought approval from the Committee to defer consideration of the report until the next meeting due to the size of the survey document which was too large to digest in the short time since it was made public.

The Committee had before it a report by the Director of Corporate Governance, which provided the Committee with a Taxi Demand Survey produced by Transport Research Institute, Taxi Studies Group, Edinburgh Napier University.

The report recommended:-

that the Committee –

- (a) note the results of the Survey and only consider imposing a limit on the number of taxi licences as part of a package of measures as recommended in the Survey;
- (b) instruct officers to consult with Transportation Strategy & Programmes officers, Community Safety officers and Grampian Police for their respective interests on the rank specific recommendations in the Survey and report back to Committee; and
- (c) instruct officers, when the report at 2(b) is available, to report back to Committee on the desirability and consequences of imposing a limit on the number of taxi licences as part of a package of measures to enhance the supply of taxis in Aberdeen.

The Committee resolved:-

- (i) to approve the recommendations contained within the report as outlined above;
- (ii) to instruct officers, when the report at 2(b) is available, to report back to Committee on the desirability and consequences of changing the policy for wheelchair accessible vehicles;
- (iii) to instruct officers to request Unight Aberdeen's views on the proposal that their members operate a scheme to arrange taxi transport for their patrons; and
- (iv) to instruct officers to consult the taxi trade on the four unused taxi ranks identified in the survey.

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MATTER OF URGENCY

The Convener intimated that she 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 Committee could make a decision on this issue at the earliest opportunity.

TAXI FARE REVIEW - CG/11/157

4. As agreed at the start of the meeting (Article 1 of this minute refers), the Committee received a deputation from Graeme McColl on behalf of the Aberdeen Taxi Group (ATG).

Mr McColl suggested that it would be beneficial to have the public holidays for 2013 included in the proposed tariff card, and also that the proposed new signage for multi seater taxis be included.

The Committee were advised that in relation to the public holiday dates referred to above, there was an error in appendix A to the report relating to the tariff, specifically that the dates at (5) should read 2012 and 2013.

With reference to Article 13 of the minute of the previous meeting of 14th September 2011, the Committee had before it a report by the Director of Corporate Governance which provided information on the proposed tariff.

The report recommended:-

that the Committee –

- (a) considers any written responses received as a result of advertising the proposals for amendment to the tariff;
- (b) instructs the Head of Legal and Democratic Services to complete the necessary statutory procedures to implement the new fare structure; and
- (c) agrees that, if no appeal is lodged with the Traffic Commissioner, the tariff will take effect on 19 December 2011.

The Committee resolved:-

to approve the recommendations contained within the report as outlined above.

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VARIATION OF ZONING CONDITION ON AIRPORT ZONED TAXI LICENCES - CG/11/137

5. With reference to Article 13 of the minute of meeting of 1st June 2011, and following its instructions from that meeting, the Committee had before it a report by the Director of Corporate Governance on the variation of the zoning condition on airport zoned taxi licences.

Appended to the report was data showing the number of hires by airport drivers at each of the night time ranks and the waiting times at those ranks over five weekends in September/October 2011 and over two weekends in April 2011.

The report recommended:-

that the Committee vary condition 2 of The Conditions Applicable to Taxi Licences (Airport Zone) in the following terms:

“This licence is valid within Aberdeen Airport only (except between the hours of 00:00 on Saturday night and 05:00 on Sunday morning, during which time it is valid throughout the licensed area)”.

The Committee resolved:-

to approve the recommendation contained within the report as outlined above.

MULTI PURPOSE TAXI VEHICLES SURCHARGE - REFERRAL FROM THE TAXI CONSULTATION GROUP - CG/11/141

6. The Committee had before it a report by the Director of Corporate Governance which provided details in relation to a recommendation from the Taxi Consultation Group (TCG) regarding a multi purpose taxi vehicle surcharge.

The report advised that the TCG recommended a suitable permanent display inside the taxi with the appropriate City Council logo and that it be inserted in all multi seater taxis by the Council. It was hoped that the new signage would help prevent taxi drivers operating a multi seater vehicle overcharging by applying a surcharge when carrying four or less passengers. Drivers of multi seater vehicles are permitted to charge 50% extra only when carrying five or more passengers.

The report recommended:-

that the Committee –

- (a) note the TCG recommendation; and
- (b) instruct officers to carry out further work and report back to a future meeting on the various factors to be considered.

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The Committee resolved:-

to approve the recommendations contained within the report as outlined above

REVIEW OF NIGHT TIME RANKS AND CLOSED RANKS CONDITION - REFERRAL FROM THE TAXI CONSULTATION GROUP - CG/11/140

7. As agreed at the start of the meeting (Article 1 of this minute refers), the Committee received a deputation from Steve Robertson and Tom Wilson on behalf of the Unite Union and Graeme McColl on behalf of the Aberdeen Taxi Group.

Mr Robertson indicated that the Unite Union was supportive of the taxi trade survey recommendations, specifically in relation to the proposed location of a fifth night time taxi rank on Union Street. However, he raised concerns regarding the current overspill of the taxi ranks on Sunday to Thursday nights and suggested that the Back Wynd be used as a feeder rank on to Union Street on those nights. He also sought clarification of the signage on Bridge Street which displayed conflicting information regarding parking restrictions in terms of the night time ranks.

Mr McColl advised that there has been a decrease in the number of taxi rank spaces due to the introduction of the night time ranks during the week and requested a review of all taxi ranks.

The Committee had before it a report by the Director of Corporate Governance which provided details in relation to a recommendation from the Taxi Consultation Group (TCG) on the operation of night time ranks and closed ranks.

The report advised that the TCG recommended that consideration be given to the re-opening of the side street ranks at all times during Sunday to Thursday.

The report recommended:-

that the Committee –

- (a) note the TCG recommendation; and
- (b) instruct officers to review the operation of the night time ranks and closed ranks in light of the information and recommendations in the Taxi Demand Survey and report back to Committee with further information and recommendations.

The Committee resolved:-

- (i) to approve the recommendations contained within the report and outlined above; and
- (ii) to note that officers would investigate amending the signage on Bridge Street regarding parking restrictions relating to the night time ranks and report back to Committee.

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DETERMINATION OF EXEMPT BUSINESS

8. Members were requested to resolve that any exempt business on the agenda be considered with the press and public excluded.

The Committee resolved:-

- (i) 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 the following items of business:- 9.1 and 9.10 to 9.14 so as to avoid disclosure of exempt information of the class described in paragraph 14 of Schedule 7(A) to the Act (article 21 of this minute refers); and
- (ii) in terms of the Data Protection Act 1998 (Principle 1) to exclude the press and public from the meeting during consideration of the following items of business:- 8.1 to 8.5 (articles 16 to 20 of this minute refers) and 9.2 to 9.9 (Items 2 and 9 of Appendix B to this minute refers).

MINUTE OF PREVIOUS MEETING OF 14TH SEPTEMBER 2011

9. The Committee had before it the minute of its previous meeting of 14th September, 2011.

The Committee resolved:-

to approve the minute.

MINUTE OF MEETING OF THE SPORTS GROUND ADVISORY WORKING GROUP OF 22ND SEPTEMBER 2011

10. The Committee had before it the minute of meeting of the Sports Ground Advisory Working Group of 22nd September, 2011.

The Committee resolved:-

to note the minute.

COMMITTEE BUSINESS STATEMENT

11. The Committee had before it a statement of Committee Business prepared by the Head of Legal and Democratic Services.

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The Committee resolved:-

to delete item 2 (Variation of Condition on Airport Zoned Taxi Licences), and item 3 (Taxi Fare Review) from the statement.

STATEMENT OF BUSINESS DEALT WITH INFORMALLY SINCE 14TH SEPTEMBER 2011

12. The Committee had before it a statement of the business dealt with informally since 14th September, 2011.

The Committee resolved:-

to note the informal business.

PUBLIC ENTERTAINMENT LICENCES (COMMUNITIES AND CHARITY GROUPS) - MOTION BY COUNCILLOR BOULTON

13. The Committee had before it the following motion which had been submitted by Councillor Boulton in terms of Standing Order 12(1):-

“That a decision is taken on how much Communities and Charity Groups will be charged for Public Entertainment Licences in order to enable these groups to forward plan and ultimately decide whether they can afford to carry out their events, which are often for fund raising purposes.”

The Committee heard Councillor Boulton speak in support of her motion. She made reference to the costs associated with Public Entertainment licences in Glasgow and Highland Councils, the implications for charity and community groups if the present application fee was implemented for events/ galas and sought the Committee's approval to agree to apply an administration/ processing fee only for community and charity groups.

The Committee had before it for information, a background paper by the Director of Corporate Governance.

The Committee resolved:-

- (i) to agree in principle to a fee reduction (administration/processing fee only) for charities and community groups;
- (ii) to instruct officers to report back to Committee on how a fee reduction could work; and
- (iii) that a special meeting of the Committee be arranged in January 2012 to consider the report referred to at (ii) above.

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APPLICATIONS FOR GRANT, RENEWAL OR VARIATION OF LICENCES - LIST OF APPLICATIONS

14. The Committee had before it for 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 TO FORM A SALOON CAR PARTNERSHIP - TERRY AND STANLEY ROBERTSON

15. The Committee had before it for consideration, correspondence from Mr Terry Robertson dated 12th October 2011 which requested approval to form a saloon car partnership with his brother Mr Stanley Robertson.

The Committee then heard from Mr Terry Robertson supporting the request.

The Committee resolved:-

to approve the request.

EXEMPT INFORMATION

In accordance with the decision recorded under Article 8 of this minute, the following items were considered with the press and public excluded.

REQUEST TO SUBSTITUTE A SALOON CAR ONTO A TAXI OPERATORS LICENCE - HENRY PETRIE

16. The Committee had before it for consideration, a request from Mr Henry Petrie to substitute a saloon car onto his Taxi Licence.

Mr Petrie was not present at the meeting.

The Committee resolved:-

to defer consideration of the request until the next meeting of the Committee, at which Mr Henry Petrie would be invited to attend.

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REQUEST TO WAIVE THE REQUIREMENT TO PROVIDE A WHEELCHAIR ACCESSIBLE VEHICLE - STANLEY ROSS

17. The Committee had before it for consideration, a request from Mr Stanley Ross dated 10th October 2011 to waive the requirement to provide a wheelchair accessible vehicle when applying for a taxi licence.

The Committee then heard Mr Ross in support of his request in respect of which he had also provided a letter from his doctor.

The Convener, seconded by Councillor Noble moved:-

“that the request be refused on the grounds that the Committee should work within current Council Policy guidelines in terms of providing wheelchair accessible taxi vehicles.”

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

“that the request be approved.”

On a division, there voted:- for the motion (4) – the Convener, and Councillors MacGregor, Noble and Robertson; for the amendment (8) – Councillors Allan, Milne, Crockett, Cormack, Cormie, Fletcher, Leslie and Townson.

The Committee resolved:-

to adopt the amendment and approve the request.

REQUEST TO APPLY FOR A TAXI OPERATORS LICENCE AND WAIVE THE REQUIREMENT TO PROVIDE A WHEELCHAIR ACCESSIBLE VEHICLE - STEPHEN INSCH

18. The Committee had before it for consideration, a request from Mr Stephen Insch dated 21st September 2011 to waive the requirement to provide a wheelchair accessible vehicle if granted a taxi licence.

The Committee then heard from Mr Ross in support of his request.

The Committee resolved:-

to defer consideration of the request until the results of a medical assessment, are known and thereafter to delegate consideration of the request to the Informal Business Panel.

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REQUEST TO APPLY FOR A TAXI OPERATORS LICENCE AND WAIVE THE REQUIREMENT TO PROVIDE A WHEELCHAIR ACCESSIBLE VEHICLE - JOHN LEAPER

19. The Committee had before it for consideration, a request from Mr John Leaper to waive the requirement to provide a wheelchair accessible vehicle if granted a taxi licence.

Mr Leaper also provided medical letters dated 25th October 2000, 15th June 2011 and 13th November 2011 in support of his request.

The Committee then heard from Mr Tommy Campbell, Unite Union representing Mr Leaper and from Mr Leaper himself in support of the request.

The Committee resolved:-
to approve the request.

REQUEST TO SUBSTITUTE A SALOON CAR ONTO A TAXI OPERATORS LICENCE - LESLIE WATSON

20. The Committee had before it for consideration, a request from Mr Leslie Watson dated 17th October 2011 to substitute a saloon car onto his Taxi Licence together with a supporting letter from his Doctor.

The Committee then heard from Mr Watson in support of his request.

The Committee resolved:-
to approve the request.

APPLICATIONS FOR GRANT RENEWAL OR VARIATION OF LICENCES - LIST OF APPLICATIONS TO BE HEARD IN PRIVATE

21. 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 KIRSTY WEST, Convener.

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APPENDIX A

1. **APPLICATION FOR THE RENEWAL OF A HOUSE IN MULTIPLE OCCUPATION**

Application Ref No. 6/001

Premises – 34 Erskine Street, Aberdeen

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

2. **APPLICATION FOR THE GRANT OF A HOUSE IN MULTIPLE OCCUPATION**

Application Ref No. 6/002

Premises – 52 Bedford Place, Aberdeen

Reference was made to item 22 of appendix A to the minute of the previous meeting of 14th September 2011.

The Committee was addressed by Mr Ally Thain in support of his updated report on the premises.

The Committee had before it a letter dated 2 November 2011 from the applicant in support of her application.

The Committee heard from Mr David Thomson, representing the applicant in support of the application.

The Committee resolved:-
to refuse the application.

3. **APPLICATION FOR THE GRANT OF A HOUSE IN MULTIPLE OCCUPATION**

Application Ref No. 6/003

Premises – 17 Ivory Court, Aberdeen

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

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4. **APPLICATION FOR THE GRANT OF A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 6/004
Premises – 23 Huntly Street, Aberdeen

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

The Committee resolved:-

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

5. **APPLICATION FOR THE GRANT OF A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 6/005
Premises – 31 Auchinyell Road, Aberdeen

The Committee were advised that the works on the premises had not been completed and the required certificates had not been obtained.

The Committee resolved:-

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

6. **APPLICATION FOR THE GRANT OF A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 6/006
Premises – 7B Powis Place, Aberdeen

The Committee had before it a letter of objection and heard from the objector in its support.

The Committee then heard from the applicant's agent Ms Nurriyat Bakare in support of the application.

The Committee resolved:-

to grant the application.

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7. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (GENERAL) LICENCE**

Application Ref No. 6/007

Sites – (1) North Deeside Road, Cults

(2) Kingswells Community Centre Car Park

(3) School Road, Peterculter

(4) Fairview Road, Danestone

Days/Times - Tuesdays 08.00 to 14.00;

Thursdays 08.00 to 17.00;

Fridays 08.00 to 12.00 and 13.00 to 15.00.

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 standard conditions; but
- (ii) to permit the applicant to trade within 400 metres of the boundary of secondary schools.

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

Application Ref No. 6/008

Sites – St Fitticks Road, North Side 100 Metres East of Balnagask Road

Days/Times - Mondays to Sundays 08.00 to 17.00

The Committee was provided with background information with regard to the application.

The Committee resolved:-

to grant the application.

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9. **APPLICATION FOR A TEMPORARY STREET TRADERS (HOT FOOD) LICENCE**

Application Ref No. 6/009

Sites: Union Square, Outside Main Entrance

Days/Times – 7 Days a week, 09:00 to 21:00

The Committee was advised that the applicant must, provide a certificate of compliance from the food authority for his unit.

The Committee then heard from the applicant Mr Graham Whyte in support of his application.

The Committee resolved:-

- (i) to defer consideration of the application; and
- (ii) to grant delegated powers to officers to grant the application once the certificate of compliance had been obtained.

10. **APPLICATION FOR THE RENEWAL OF A SECOND HAND DEALER'S LICENCE**

Application Ref No. 6/010

Applicant – Murray Burnett Adam, Pittodrie Car Stadium

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

11. **APPLICATION FOR THE GRANT OF A LATE HOURS CATERING LICENCE**

Application Ref No. 6/011

Premises – MacDonalds Restaurant – Broadfold Road

Days/Times –(1) Sunday to Thursday, 23:00 to 00:00

(2) Friday and Saturday, 23:00 to 03:00

The Committee were advised that the trading hours sought on Fridays and Saturdays were outwith its guidelines for premises located beyond the city centre.

The Committee then heard from the applicant's agent in support of the application.

The Committee resolved:-

to grant the application on condition that only "drive-through" trading is permitted on Fridays and Saturdays from 23:00 to 03:00.

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12. **APPLICATION FOR THE GRANT OF A LATE HOURS CATERING LICENCE**
Application Ref No. 6/012
Premises – KFC Restaurant – 152 Union Street
Days/Times – Wednesday to Saturday, 23:00 to 02:00

The Committee had before it 8 letters of objection.

One of the objectors was present and spoke in support of his letter.

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

The Convener, seconded by Councillor Milne moved:-
"that the application be granted."

Councillor Cormie, seconded by Councillor Cormack moved as an amendment:-
"that the application be refused on the ground of undue public nuisance."

On a division, there voted:- for the motion (7) – the Convener and Councillors Allan, Milne, Crockett, MacGregor, Noble and Townson; for the amendment (5) Councillors Cormack, Cormie, Fletcher, Leslie and Robertson.

The Committee resolved:-
to adopt the motion and grant the application.

13. **APPLICATION FOR THE GRANT OF A LATE HOURS CATERING LICENCE**
Application Ref No. 6/013
Premises – Domino's Pizza – Units 6 & 7 Kittybrewster Centre, Clifton Road
Days/Times- Friday and Saturday, 11:00 to 03:00

The Committee were advised that the trading hours sought were beyond the guidelines for premises located outwith the city centre.

The Committee heard from the applicant's representative, Mr Robert Fenton, in support of the application.

The Committee resolved:-
to grant the application on condition that the premises is closed from 00:00 to 03:00, except for delivery service.

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14. **APPLICATION FOR THE RENEWAL OF A PUBLIC ENTERTAINMENT LICENCE**

Application Ref No. 6/014

Premises – Milltimber Community Hall, The Meadows, Milltimber

Days/Times – 7 Days a week, 09:00 to 00:00

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

15. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**

Application Ref No. 6/015

Premises – Pure NRG Fitness, Unit 1B, First Floor, Berryden Retail Park

Days/Times – (1) Monday to Friday, 06:00 to 22:00

(2) Saturday and Sunday, 08:00 to 20:00

The Committee heard Mr David Kidd, Team Leader, Enterprise, Planning and Infrastructure advise that work on the premises was still ongoing, therefore an appropriate building standards completion certificate or a temporary occupation certificate could not be granted at this time.

The Committee were thereafter addressed by the applicant in support of the application.

The Committee resolved:-

to refuse the application.

16. **APPLICATION FOR A THEATRE LICENCE**

Application Ref No. 6/016

Premises – Aberdeen City Council - Greenbrae School

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

17. **APPLICATION FOR A THEATRE LICENCE**

Application Ref No. 6/017

Premises – Aberdeen City Council – Bucksburn Academy

The Committee heard Mr David Kidd, Team Leader, Enterprise, Planning and Infrastructure advise that minor works on the premises were still ongoing, therefore an appropriate building standards certificate to occupy the premises could not be granted at this time.

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The Committee then heard Mr Les Mackie, Project Officer, Enterprise, Planning and Infrastructure advise that the minor works on the premises would be completed within two weeks.

The Committee resolved:-

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

18. **APPLICATION FOR A THEATRE LICENCE**
Application Ref No. 6/018
Premises – Aberdeen City Council – Harlaw Academy

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

19. **APPLICATION FOR A THEATRE LICENCE**
Application Ref No. 6/019
Premises – Aberdeen City Council – Northfield Academy

The Committee heard Mr David Kidd, Team Leader, Enterprise, Planning and Infrastructure advise that minor works on the premises were still required, therefore an appropriate building standard certificate to occupy the premises could not be granted at this time.

The Committee then heard Mr Les Mackie, Project Officer, Enterprise, Planning and Infrastructure advise that minor works on the premises would be completed in due course.

The Committee resolved:-

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

20. **APPLICATION FOR A THEATRE LICENCE**
Application Ref No. 6/020
Premises – Aberdeen City Council – Dyce Academy

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

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21. **APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE**
Application Ref No. 3/021
Applicant – Connor Stuart Montgomery

The applicant failed to attend.

The Committee heard from Sergeant Keith Middler, Grampian Police who advised that the applicant had also failed to attend his appointments to undertake his Street Knowledge Test on two occasions.

The Committee resolved:-
to refuse the application.

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APPENDIX B

1. **APPLICATION FOR THE GRANT OF A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 9/001
Premises – Spring Cottage, 1½ South Crown Street

The Committee had before it a letter of objection and heard the objector and her legal representative speak in its support.

The Committee had tabled a letter dated 20th November 2011 submitted by the applicant in response to the letter of objection. Although the Committee agreed to consider the aforesaid letter, they were advised that for legal reasons, they should disregard the contents outlined at sections 10 to 14 of the letter.

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

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.

2. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**
Application Ref No. 9/002

The Committee had before it a medical assessment of the applicant from the Council's Occupational Health Service provider (Serco).

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

The Committee resolved:-

that the application be refused.

3. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**
Application Ref No. 9/003

The Committee were advised that the applicant had failed to communicate with Licensing officers and had not attended appointments arranged with the Council's Occupational Health Service provider (Serco) for a medical assessment.

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The Committee resolved:-
that the application be refused.

4. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**
Application Ref No. 9/004

The Committee had before it a medical assessment of the applicant from the Council's Occupational Health Service provider (Serco).

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

The Committee resolved:-
That the application be granted on the condition that the applicant undertakes a further medical assessment with Serco in 12 months time.

5. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**
Application Ref No. 9/005

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

6. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**
Application Ref No. 9/006

The Committee had before it a medical assessment of the applicant from the Council's Occupational Health Service provider (Serco).

The Committee heard from Mr Tommy Campbell, Unite Union, on behalf of the applicant in support of the application.

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

7. **APPLICATION FOR A TEMPORARY TAXI DRIVER'S LICENCE**
Application Ref No. 9/007

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

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8. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Ref No. 9/008

The Committee had before it a medical assessment of the applicant from the Council's Occupational Health Service provider (Serco).

The Committee heard the applicant in support of his application.

The Committee resolved:-

that the application be granted on condition that the applicant undertakes a further medical assessment with Serco in six months time.

9. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Ref No. 9/009

The Committee had before it a medical assessment of the applicant from the Council's Occupational Health Service provider (Serco).

The Committee heard the applicant in support of his application.

The Committee resolved:-

to defer consideration of the application and await the outcome of a further medical assessment, after which time officers could grant the application under delegated powers if appropriate or submit the application to a Special Licensing Committee meeting in January 2012 for consideration.

DECLARATION OF INTEREST

Councillor Fletcher declared an interest in the subject matter of the following item of business due to him using the services provided by the applicant. Councillor Fletcher left the meeting during consideration thereof.

10. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE
Application Ref No. 9/010

The Committee had before it a letter of objection dated 3rd October 2011 from Grampian Police and heard Sergeant Keith Middler, speak in its support.

The Committee heard from Mr Budge, Solicitor, on behalf of the applicant in support of the application.

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Councillor Cormie, seconded by the Convener moved:-

“that the application be granted for a period of six months, subject to a successful medical assessment being undertaken by the Council’s Occupational Health Service provider.”

Councillor Robertson, seconded by Councillor MacGregor moved as an amendment:-

“that the application be refused on the grounds that the applicant is not a fit and proper person.”

On a division, there voted:- for the motion (5) – the Convener and Councillors Cormie, Leslie, Noble and Townson; for the amendment (5) Councillors Allan, Crockett, Cormack, MacGregor and Robertson.

There being an equality of votes, the Convener exercised her casting vote in favour of the motion and declared it carried.

The Committee resolved:-

to adopt the motion and grant the application for a period of six months, subject to a successful medical assessment being undertaken by the Council’s Occupational Health Service provider”.

11. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER’S LICENCE**
Application Ref No. 9/011

The Committee were advised that a letter of observation by the Chief Constable had been submitted outwith the statutory time period.

The applicant indicated that he had no objection to the letter being admitted and therefore the Committee agreed to accept the letter for consideration.

The Committee heard from Sergeant Keith Middler, Grampian Police in support of the said letter.

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

The Committee resolved:-

to grant the application.

LICENSING COMMITTEE

23 November 2011

12. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Ref No. 9/012

The Committee had before it a letter of objection dated 7th November 2011 from the Chief Constable, Grampian Police and heard Sergeant Keith Middler speak in its support.

The Committee then heard the applicant in support of the application.

Councillor Allan, seconded by Councillor Cormie moved:-

“that the application be granted for a period of six months.”

Councillor Townson, seconded by Councillor Fletcher moved as an amendment:-

“that the application be refused on the ground that the applicant is not a fit and proper person.”

On a division, there voted:- for the motion (5) – Councillors Allan, Cormie, Leslie, Noble and Robertson; for the amendment (6) the Convener and Councillors Crockett, Cormack, Fletcher, MacGregor and Townson.

The Committee resolved:-

to adopt the amendment and refuse the application.

13. APPLICATION TO HOLD A PUBLIC CHARITABLE COLLECTION
Application Ref No. 9/013

The applicant failed to appear.

Sergeant Keith Middler, Grampian Police, sought the Committee's approval to introduce details of the applicant's spent convictions because he was of the opinion that due to the class of offences and the seriousness of the convictions justice could not be done without the without the Committee admitting and considering the convictions.

The Committee considered Sergeant Middler's request and was satisfied that there was no other way of doing justice and therefore agreed to the request.

Thereafter the Committee had before it a letter of objection dated 27th October, 2011 from the Chief Constable, Grampian Police and heard Sergeant Middler in its support.

The Committee resolved:-

to refuse the application.

LICENSING COMMITTEE
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14. **APPLICATION FOR THE GRANT OF A SECOND HAND DEALERS LICENCE**
Application Ref No. 9/014

The Committee were advised that Grampian Police had withdrawn their letter of objection and therefore the application had been granted under delegated powers.