

LICENSING COMMITTEE

ABERDEEN, 17 April 2012. Minute of Meeting of the LICENSING COMMITTEE.
Present:- Councillor Kirsty Blackman, Convener; and Councillors Boulton, Collie, Dean, Donnelly (substitute for Councillor Wisely), Fletcher, Hunter, Leslie, MacGregor, Noble, Robertson (substitute for Councillor Cormack) and Townson.

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MIId=2302&Ver=4>

DETERMINATION OF EXEMPT BUSINESS

1. 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:- 7.1 and 7.3 to 7.7 so as to avoid disclosure of exempt information of the class described in paragraph 14 of Schedule 7(A) to the Act (Items 1 and 3 to 7 of Appendix B to this minute refers); and
- (ii) in terms of the Data Protection Act 1988 (Principle 1) to exclude the press and public from the meeting during consideration of the following items of business:- 6.1 to 6.8 (articles 11 to 18 of this minute refers) and 7.2 (Item 2 of Appendix B to this minute refers).

VALEDICTORY

2. The Convener alluded to the fact that this was the final meeting of the Licensing Committee prior to the local government elections in May, and thanked all members of the Committee and officers for their contribution and support which made her position as Convener less difficult. She concluded by thanking Councillor Reynolds, the previous Convener of the Committee for his advice, Sergeant Keith Middler, Grampian Police and all Taxi Drivers for their input.

In response, members of the Committee thanked the Convener for the work she undertook during her time as Convener.

MINUTE OF MEETING OF 21 FEBRUARY 2012

3. The Committee had before it the minute of meeting of 21 February, 2012.

The Committee resolved:-
to approve the minute.

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MINUTE OF SPECIAL MEETING OF 27 MARCH 2012

4. The Committee had before it the minute of meeting of 27 March, 2012.

The Committee resolved:-

to approve the minute.

MINUTE OF MEETING OF TAXI CONSULTATION GROUP OF 7 MARCH 2012

5. The Committee had before it the minute of meeting of the Taxi Consultation Group of 7th March 2012.

The Committee resolved:-

to note the minute.

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

6. 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.

MULTI SEATER TAXIS – SURCHARGES – CG/12/10

7. The Committee had before it for consideration, a report by the Director of Corporate Governance which outlined the various factors to be considered regarding the Taxi Consultation Group request to affix an additional display notice of the multi seater tariff surcharge in all multi seater vehicles.

The report recommended:-

that the Committee -

- (a) notes the terms of the request from the Taxi Representatives;
- (b) considers the information provided by the Taxi Inspector; and
- (c) instructs officers to prepare a multi seater surcharge display notice for publication on the Aberdeen City Council website.

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The Committee resolved:-

to approve the recommendations.

TAXI DEMAND SURVEY – RANK SPECIFIC RECOMMENDATIONS (RANK REVIEW) – CG/12/23

8. The Committee had before it for consideration, a report by the Director of Corporate Governance which outlined the results of the consultation on the rank specific recommendations in the Taxi Demand Survey. Attached to the report was an Equality and Human Rights Impact Assessment, which the Convener highlighted and directed Members to consider in their decision making.

The report recommended:-

that the Committee adopts the following recommendations -

(a) Union Square -

1. Transportation, Strategy and Programmes Officers further investigate the possibility of a rank at Palmerston Road;
2. if it is possible to create a taxi rank at Palmerston Road instruct Environment, Planning and Infrastructure and Legal and Democratic Services officers to commence the consultation and statutory procedures to introduce the rank;
3. report back to the Licensing and Enterprise, Planning and Infrastructure Committees.

(b) Back Wynd -

1. Transportation, Strategy and Programmes Officers investigate and undertake amendments to signage as required; and
2. take no further action

(c) Bridge Street -

1. Transportation, Strategy and Programmes Officers investigate and undertake amendments to signage as required; and
2. take no further action.

(d) Union Street at Castlegate -

the Committee takes no further action.

(e) Hadden Street -

1. the Committee endorses the review and amendment of the directional signage; and
2. request that the wording "night time taxi rank" is included in all night time taxi rank signs in the City, subject to budget availability.

(f) Aberdeen Railway Station -

the Committee take no further action.

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- (g) Citywide -
 - the Committee endorse the recommendation of the Survey, which is to have a common standard of signage and street markings applied to all City taxi ranks.
- (h) Diamond Street -
 - 1. Environment, Planning and Infrastructure and Legal and Democratic Services officers begin the rank revocation procedures; and
 - 2. report back to the Licensing and Enterprise, Infrastructure and Planning Committees.
- (i) Exchequer Row/Castle Street -
 - 1. Environment, Planning and Infrastructure and Legal and Democratic Services officers begin the rank revocation procedures; and
 - 2. report back to the Licensing and Enterprise, Infrastructure and Planning Committees.
- (j) Frederick Street -
 - 1. Environment, Planning and Infrastructure and Legal and Democratic Services officers begin the rank revocation procedures; and
 - 2. report back to the Licensing and Enterprise, Infrastructure and Planning Committees.
- (k) Justice Mill Lane -
 - 1. Environment, Planning and Infrastructure and Legal and Democratic Services officers begin the rank revocation procedures; and
 - 2. report back to the Licensing and Enterprise, Infrastructure and Planning Committees.
- (l) Little Chapel Street -
 - 1. Environment, Planning and Infrastructure and Legal and Democratic Services officers begin the rank revocation procedures; and
 - 2. report back to the Licensing and Enterprise, Infrastructure and Planning Committees.
- (m) Rubislaw Place -
 - 1. Environment, Planning and Infrastructure and Legal and Democratic Services officers begin the rank revocation procedures; and
 - 2. report back to the Licensing and Enterprise, Infrastructure and Planning Committees.
- (n) Gilcomston -
 - 1. Environment, Planning and Infrastructure investigate the possibility of introducing a rank at Rosemount Viaduct in terms of the Survey recommendations;
 - 2. if it is possible to progress a rank at that location instruct Environment, Planning and Infrastructure and Legal and Democratic Services officers to commence the consultation and statutory procedures to introduce the rank in terms of the Survey recommendation; and
 - 3. report back to the Licensing and Enterprise, Planning and Infrastructure Committees.

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- (o) Southern stretch of Crown Street -
take no further action.
- (p) Eastern end of School Hill -
 - 1. Environment, Planning and Infrastructure investigate the possibility of introducing a rank at School Hill in terms of the Survey recommendations;
 - 2. if it is possible to progress a rank at that location instruct Environment, Planning and Infrastructure and Legal and Democratic Services officers to commence the consultation and statutory procedures to introduce the rank in terms of the Survey recommendation; and
 - 3. report back to the Licensing and Enterprise, Planning and Infrastructure Committees.
- (q) George Street -
 - 1. Environment, Planning and Infrastructure investigate the possibility of introducing a rank at George Street in terms of the Survey recommendations;
 - 2. if it is possible to progress a rank at that location instruct Environment, Planning and Infrastructure and Legal and Democratic Services officers to commence the consultation and statutory procedures to introduce the rank in terms of the Survey recommendation; and
 - 3. report back to the Licensing and Enterprise, Planning and Infrastructure Committees.

The Committee were advised that there was an error in the information contained under the headings at recommendations (d) and (e) above, which should read as follows:-

- (d) Union Street at Castlegate -
 - 1. the Committee endorses the review and amendment of the directional signage; and
 - 2. request that the wording "night time taxi rank" is included in all night time taxi rank signs in the City, subject to budget availability.
- (e) Hadden Street -
the Committee takes no further action.

The Committee resolved:-

- (i) to approve the recommendations subject to the amendments at (d) and (e) above;
- (ii) to congratulate officers in relation to the work undertaken; and
- (iii) to note that work would be undertaken to install and reconfigure a new traffic detection system for the traffic lights to assist traffic flow at the entrance/exit to the Railway Station.

REVIEW OF POLICY ON TAXI LICENCES – CG/12/009

9. The Committee had before it for consideration, a report by the Director of Corporate Governance relating to the Committee's policy on Taxi Licences in Aberdeen

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City. Attached to the report was an Equality and Human Rights Impact Assessment, which the Convener highlighted and directed Members to consider in their decision making.

The report recommended:-

that the Committee instructs a report back –

- (a) recommending that a limit be imposed on the number of taxi licences subject to recommendation (b) being approved;
- (b) subject to (a) above being approved, recommending that an amendment be made to the wheelchair accessible vehicle policy, requiring that all taxi licence holders provide a wheelchair accessible vehicle by 17th April, 2017 and that consultation be undertaken with the Taxi Consultation Group, the Disability Advisory Group and the Older People's Advisory Group in this regard;
- (c) takes no further action in relation to the proposal that Unight Aberdeen's members operate a scheme to arrange taxi transport for their patrons.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to defer items 6.1 to 6.8 on the agenda until 6th June 2012, when the Committee will consider a further report relating to the provision and policy of taxi wheelchair accessible vehicles.

COMMITTEE BUSINESS STATEMENT

10. The Committee had before it a statement of Committee Business from the Head of Legal and Democratic Services.

In relation to Item 5 (Review of the Night Time Ranks and Closed Ranks Condition), Councillor Fletcher suggested that it would be useful for Committee members to visit the night time ranks in operation as he was impressed with the way they were organised by the Taxi Marshalls.

The Committee resolved:-

to remove Items 3 (Taxi Demand Survey) and 4 (Multi Purpose Taxi Vehicles Surcharge) from the Statement.

EXEMPT INFORMATION

In accordance with the decision recorded under Article 1 of the minute, the following items were considered with the press and public excluded.

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REQUEST TO APPLY FOR A TAXI OPERATOR'S LICENCE AND WAIVE THE REQUIREMENT TO PROVIDE A WHEELCHAIR ACCESSIBLE VEHICLE – LESLIE WILSON

11. The Committee agreed to defer consideration of this request until the meeting on 6th June 2012 (Article 9(ii) above refers).

REQUEST TO SUBSTITUTE A SALOON CAR ONTO A TAXI OPERATOR'S LICENCE - JAMES WILSON

12. The Committee agreed to defer consideration of this request until the meeting on 6th June 2012 (Article 9(ii) above refers).

REQUEST TO SUBSTITUTE A SALOON CAR ONTO A TAXI OPERATOR'S LICENCE - THOMAS TIMMS

13. The Committee agreed to defer consideration of this request until the meeting on 6th June 2012 (Article 9(ii) above refers).

REQUEST TO SUBSTITUTE A SALOON CAR ONTO A TAXI OPERATOR'S LICENCE - DONNA MCDONALD

14. The Committee agreed to defer consideration of this request until the meeting on 6th June 2012 (Article 9(ii) above refers).

REQUEST TO SUBSTITUTE A SALOON CAR ONTO A TAXI OPERATOR'S LICENCE - WILLIAM NICOL

15. The Committee agreed to defer consideration of this request until the meeting on 6th June 2012 (Article 9(ii) above refers).

REQUEST TO SUBSTITUTE A SALOON CAR ONTO A TAXI OPERATOR'S LICENCE - ESTHER KENNEDY

16. The Committee agreed to defer consideration of this request until the meeting on 6th June 2012 (Article 9(ii) above refers).

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

17. The Committee agreed to defer consideration of this request until the meeting on 6th June 2012 (Article 9(ii) above refers).

REQUEST TO APPLY FOR A TAXI OPERATOR'S LICENCE AND WAIVE THE REQUIREMENTS TO PROVIDE A WHEELCHAIR ACCESSIBLE VEHICLE – STEPHEN INSCH

18. The Committee agreed to defer consideration of this request until the meeting on 6th June 2012 (Article 9(ii) above refers).

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

19. 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 BLACKMAN, Convener.**

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APPENDIX A

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

Application Reference Number – 3/001

Premises – 24 Sunnyside Avenue

With reference to Item 1 of Appendix A of the minute of meeting of 14th September 2011, Ally Thain, Private Sector Housing Manager advised that the applicant had applied to vary the existing Licence for a House in Multiple Occupation by increasing the occupancy in the premises from 5 to 7 tenants.

The Committee heard from Mr Steven Guild, Solicitor representing the applicant in support of the application who sought approval to circulate an extract from the Housing (Scotland) Act 2006 (Sec 131), a copy of the planning permission granted by Aberdeen City Council for developments to the property and a copy of correspondence from Enterprise, Planning and Infrastructure (Roads Projects). The Committee agreed to the request to circulate the information.

The Committee resolved:-

to grant the application to vary the Licence

2. **APPLICATION FOR A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**

Application Reference Number – 3/002

Premises – 162 Morrison Drive

The Committee had before it one letter of representation.

Ally Thain, Private Sector Housing Manager advised that works on the premises had still to be completed, although this was not the reason it was before the Committee today.

The respondent was not present.

The Committee heard from the applicant's agent Mrs. Linda Cross in support of the application.

The Committee resolved:-

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

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3. **APPLICATION FOR A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/003
Premises – 24 Pitmedden Road

The Committee had before it one letter of representation.

Ally Thain, Private Sector Housing Manager advised that works on the premises had still to be completed, although this was not the reason it was before the Committee today.

The Committee heard from the respondents.

The Committee then heard from the applicants Mr David Montgomery, and Mrs Hilary Montgomery in support of the application.

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.

4. **APPLICATION FOR A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/004
Premises – 28 Pitmedden Road

The Committee had before it one letter of representation.

Ally Thain, Private Sector Housing Manager advised that works on the premises had still to be completed, although this was not the reason it was before the Committee today.

The Committee heard from the respondents.

The Committee then heard from the applicants Mr David Montgomery and Mrs Hilary Montgomery in support of the application.

The Committee resolved:-

to defer consideration of the application to allow the applicants to liaise with the respondents and to undertake remedial works on the floorboards within the property to reduce footfall noise.

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5. **APPLICATION FOR A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/005
Premises – 92C Bedford Place

The Committee had before it two letters of representation. It was noted that both letters were relating to a neighbouring property.

The Committee heard Ally Thain, Private Sector Housing Manager advise that works on the property for which the application refers had still to be completed, although this was not the reason it was before the Committee today.

The Committee then heard from the applicant's agent, Mrs Barbara Ellis in support of the application.

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 A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/006
Premises – 17 Morrison Drive

The Committee had before it three letters of representation, although two of which were submitted by the same respondent.

The Committee heard Ally Thain, Private Sector Housing Manager advise that the respondent had recently withdrawn the two letters of representation. He concluded by intimating that the works on the property had been completed.

The respondent of the remaining letter of representation was not present.

The Committee resolved:-

to grant the application,

7. **APPLICATION FOR THE GRANT OF A STREET TRADER (HOT FOOD) LICENCE – RICHARD TOWLER**
Application Ref No. 3/007
Sites – South Esplanade West – north side opposite Murray's Lane
Days/Times – Monday to Saturday, 07:00 to 15:00

The Committee were advised (a) that the application was before the Committee due to its policy that all new Street Trader (Hot Food) applications could not be

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considered under delegated powers and (b) that a food safety certificate of compliance had now been issued.

The Committee resolved:-

to grant the application

8. **APPLICATION FOR THE GRANT OF A STREET TRADER (HOT FOOD) LICENCE – EDWARD REYNOLDS**
Application Ref No. 3/008
Sites – Minto Avenue – 75 metres east of Peterseat Road
Days/Times – Monday to Saturday, 07:00 to 16:00

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

9. **APPLICATION FOR THE GRANT OF A STREET TRADER (HOT FOOD) LICENCE – PHILIP DUNBAR**
Application Ref No. 3/009
Sites – George Street – east side, 8 metres north of junction with Loch Street
Days/Times – Monday to Sunday, 09:00 to 18:00, until 20:00 on Thursdays

The Committee had before it correspondence from Andrew Smith, Traffic Engineering Manager, Enterprise, Planning and Infrastructure dated 7th February 2012 which raised concerns regarding the proposed location of the applicant's cart and suggested that it be located to 15 metres from the junction of the site on the line of the road kerb to avoid conflict with turning vehicles. The siting of the cart required to be considered and agreed by Traffic Management and the applicant

The applicant accepted the above recommendation and agreed to liaise with Traffic Management regarding the recommended location of his cart.

Members were reminded that the Committee's policy only permitted street trading between the hours of 7am and 7pm.

The Convener requested that officers reconsider the Committee's policy, in particular examining the possibility of extending the terminal trading hour to (20:00) on Thursdays to take account of late opening shopping hours.

The Committee resolved:-

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- (i) to grant the application on the basis that the applicant's cart is located in accordance with the recommendation as proposed by the Traffic Management Team; and
- (ii) to permit the applicant to trade until 20:00 on Thursdays.

10. APPLICATION FOR THE GRANT OF A STREET TRADER (GENERAL) LICENCE – IOAN COVACI
Application Ref No. 3/010
Sites – Union Street
Days/Times – Five days, 6 hours

Eric Anderson, Senior Solicitor, Litigation and Licensing provided background information relating to the application and reminded members in general terms of the Committee's policy that no street trading was permitted on Union Street. He indicated that although he had written to the applicant seeking further information relating to the application, clarification was still being sought in terms of the days and times the applicant proposed to trade and whether the applicant intended to trade at a specific location on Union Street or to trade as he travelled between locations.

The applicant, Mr Ioan Covaci advised that he intended to trade (selling balloons) from a trolley/cart from Monday to Sunday during the hours 11:00 to 15.30 walking along the length of Union Street.

Councillor Hunter, seconded by Councillor Boulton moved:-

“that the application be refused on the grounds of

- (a) public safety”; and
- (b) there is other other good reason for refusing the application, namely that the proposed method of street trading was contrary to the Committee's adopted policy against street trading on Union Street.

Councillor Donnelly, seconded by the Convener moved as an amendment:-

“that the application be deferred until the next meeting to allow the applicant time to consider a static location in liaison with the appropriate officers and that a translation service be provided to assist the applicant in that regard”

On a division there voted:- for the motion (6) – Councillors Boulton, Dean, Fletcher, Hunter, Leslie and MacGregor; for the amendment (5) – the Convener and Councillors Noble, Donnelly, Robertson and Townson; declined to vote (1) Councillor Collie.

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The Committee resolved:-

to adopt the motion to refuse the application.

11. APPLICATION FOR THE GRANT OF A STREET TRADER (HOT FOOD) LICENCE – JULIE MANSON

Application Ref No. 3/011

Sites – St Fitticks Road – south side, 160m east of Pentland Crescent

Days/Times – Monday to Sunday, 07:00 to 17:00

The Committee were advised that the application was before the Committee due to its policy that all new Street Trader (Hot Food) applications could not be considered under delegated powers

The Committee resolved:-

to grant the application

12. APPLICATION FOR THE VARIATION OF A LATE HOURS CATERING LICENCE

Application Ref No. 3/012

Premises – Burger King Limited – Wellington Circle, Altens

Days/Times – Monday to Sunday, 23:00 to 05:00

The Committee were advised that the application had been withdrawn.

13. APPLICATION FOR THE VARIATION OF A LATE HOURS CATERING LICENCE

Application Ref No. 3/013

Premises – Burger King Limited – Unit 8, Queens Links Leisure Park

Days/Times – Monday to Sunday, 23:00 to 05:00

The Committee were advised that the application had been withdrawn.

14. APPLICATION FOR THE VARIATION OF A LATE HOURS CATERING LICENCE

Application Ref No. 3/014

Premises – Burger King Limited – 221-229 Union Street

Days/Times – Monday to Sunday, 23:00 to 05:00

The Committee were advised that the application had been withdrawn.

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15. **APPLICATION FOR THE GRANT OF A SKIN PIERCING AND TATTOOING LICENCE – ROCK ‘N’ ROLL TATTOO**
Application Ref No. 3/015
Premises – 25 Rosemount Viaduct

The Committee were advised that the applicant had not returned the display notice.

The Committee resolved:-
to defer the application until the next meeting.

16. **APPLICATION FOR THE GRANT OF A SKIN PIERCING AND TATTOOING LICENCE – RAPPORT TATTOO**
Application Ref No. 3/016
Premises – 118 King Street

The Committee were advised that the applicant had not returned the display notice.

The Committee resolved:-
to defer the application until the next meeting.

17. **APPLICATION FOR THE GRANT OF A SKIN PIERCING AND TATTOOING LICENCE – ABERDEEN COLLEGE**
Application Ref No. 3/017
Premises – Gallowgate Centre, Gallowgate

The Committee were advised that the applicant requested that the application be deferred until the next meeting.

The Committee resolved:-
to defer the application until the next meeting.

18. **APPLICATION FOR THE GRANT OF A MARKET OPERATOR LICENCE – SCORPION GB LTD**
Application Ref No. 3/018
Location – Park & Ride at Aberdeen Exhibition and Conference Centre
Days/Times – Saturdays and Sundays, 08:00 to 14:00

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The Committee were advised that the applicant had failed to provide sufficient information to allow a proper assessment of the application to be made and that there were a number of issues which required further consideration by officers.

The Committee resolved:-

to defer the application until the next meeting.

19. APPLICATION FOR THE GRANT OF A MARKET OPERATOR LICENCE – SCORPION GB LTD

Application Ref No. 3/019

Location – Multi Storey Car Park opposite Schoolhill (Level 1)

Days/Times – Saturdays and Sundays, 08:00 to 13:00

The Committee were advised that the application location was clarified as West North Street Car Park (Ground Level).

The Committee heard Andrew Smith, Traffic Engineering Manager, Enterprise, Planning and Infrastructure advise that further information from the applicant had only been submitted late on the previous evening and that there were a number of issues which required further consideration by officers.

The Committee resolved:-

to defer the application until the next meeting

20. APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE – ANDREW STEPHEN ROSS

Application Ref No. 3/020

The Committee were advised that the application had been withdrawn.

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APPENDIX B

1. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

Application Ref No. 7/001

The Committee heard from Eric Anderson, Senior Solicitor, Litigation and Licensing who provided background information relating to the applicant.

The Committee had before it a letter of objection dated 27th February 2012 from Grampian Police and heard Sergeant Keith Middler, speak in its support.

The applicant failed to appear.

The Committee resolved:-

to refuse the application.

2. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE

Application Ref No. 7/002

The Committee had before it a medical assessment of the applicant from the Committee's nominated 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 condition that the applicant undertakes a further medical examination from Serco after a period of 12 months.

3. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE

Application Ref No. 7/003

The Committee had before it a letter of observation dated 16th February 2012 from Grampian Police and heard Sergeant Keith Middler, speak in its support.

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

Councillor Donnelly, seconded by Councillor Hunter moved:-

“that the application be granted for one year and that the applicant's behaviour be monitored during that period”

Councillor Dean, seconded by Councillor Noble moved as an amendment:-

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

On a division, there voted:- for the motion (6) – Councillors Boulton, Donnelly, Hunter, Leslie, MacGregor and Townson; for the amendment (5) – the Convener, and Councillors Dean, Fletcher, Noble and Robertson.

The Committee resolved:-

to adopt the motion to grant the application for 12 months and that the applicant’s behaviour be monitored by the Taxi Inspector during that period.

4. APPLICATION FOR THE GRANT OF A TAXI DRIVER’S LICENCE

Application Ref No. 7/004

The Committee had before it a letter of observation dated 2nd March 2012 from Grampian Police and heard Sergeant Keith Middler, speak in its support.

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

The Committee resolved:-

to agree that officers could grant the application under delegated powers, subject to the applicant passing his taxi tests.

5. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER’S LICENCE

Application Ref No. 7/005

The Committee had before it a letter of objection dated 16th March 2012 from Grampian Police and heard Sergeant Keith Middler speak in its support.

The Committee heard from the applicant in support of the application. He sought the Committee’s approval to defer consideration of the application to allow more time to prepare a response for the Committee.

The Convener moved as a procedural motion, seconded by Councillor Donnelly:-
“that the application be deferred until the next meeting to allow the applicant more time to prepare a response for Committee”

On a division, there voted:- for the procedural motion (6) – the Convener, and Councillors Dean, Donnelly, Fletcher, Hunter and Robertson; against the procedural motion (5) – Councillors Boulton, Leslie, MacGregor, Noble and Townson.

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The Committee resolved:-

to adopt the procedural motion and that the application be deferred until the next meeting to allow the applicant more time to prepare a response for Committee.

6. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Ref No. 7/006

The Committee had before it a letter of observation dated 9th March 2012 from Grampian Police and heard Sergeant Keith Middler, speak in its support.

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

The Committee resolved:-

to grant the application.

7. APPLICATION FOR THE GRANT OF A STREET TRADER (HOT FOOD) LICENCE
Application Ref No. 7/007

The Committee had before it a letter of objection dated 26th February 2012 from Grampian Police and heard Sergeant Keith Middler, speak in its support.

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

The Committee resolved:-

to agree that officers could grant the application under delegated powers for one year, subject to the applicant obtaining the required food safety certificate of compliance.