

LICENSING COMMITTEE

ABERDEEN, 06 June 2012. Minute of Meeting of the LICENSING COMMITTEE.
Present:- Councillor Marie Boulton, Convener; and Councillors Blackman, Cameron (substituting for Councillor Corall), Delaney (substituting for Councillor Malone), Forsyth, Grant, Ironside CBE, Kiddie, MacGregor, Malik, Nathan Morrison, Reynolds and Townson.

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MId=2303&Ver=4>

REQUESTS FOR DEPUTATION

1. The Committee was advised that a request for deputation had been received from Unite the Union in relation to item 4.1 of the agenda (Review of the Policy on Taxi Licences – Consultation with Equalities and Taxi Trade Representatives).

A further request for deputation was received from Aberdeen Taxi Group in relation to items 4.1 (Review of the Policy on Taxi Licences – Consultation with Equalities and Taxi Trade Representatives) and 4.2 of the agenda (Review of the Operation of Night Time Ranks and Closed Ranks).

The Committee resolved:

to hear the deputations prior to consideration of the report.

DETERMINATION OF EXEMPT BUSINESS

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

The Clerk advised that in terms of the Data Protection Act 1988 (Principle 1), the press and public would be excluded from the meeting during consideration of the following items of business on the agenda:- 6.1 to 7.6.

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 the following items of business:- 7.7 to 7.11 so as to avoid disclosure of exempt information of the class described in paragraph 14 of Schedule 7(A) to the Act (Items 7 to 11 of Appendix B to this minute refers)

MINUTE OF PREVIOUS MEETING OF 17 APRIL 2012

3. The Committee had before it the minute of its previous meeting of 17 April, 2012.

The Committee resolved:-

to note the minute.

MINUTE OF MEETING OF THE SPORTS GROUND ADVISORY WORKING GROUP OF 5 APRIL 2012

4. The Committee had before it the minute of meeting of the Sports Ground Advisory Group of 5 April, 2012.

The Committee resolved:-

to note the minute.

INFORMAL BUSINESS STATEMENT

5. The Committee had before it details of the business dealt with by the Informal Business Panel since 17 April, 2012.

The Committee resolved:-

to note the informal business.

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 are subject to the Committee's normal conditions unless otherwise stated.

REVIEW OF THE POLICY ON TAXI LICENCES – CONSULTATION WITH EQUALITIES AND TAXI TRADE REPRESENTATIVES - CG/12/045

7. As agreed at the start of the meeting (Article 1 of this minute refers), the Committee received a deputation from Steve Robertson, on behalf of Unite the Union. Mr. Robertson made reference to a meeting of Unite Union members on 25th April 2012 at which a number of Taxi Drivers were in attendance. He indicated that at the meeting Unite members had voted for a cap on the number of taxi licences operating in the city, however they were not in favour of a 100% wheelchair accessible vehicle policy. He suggested that the report before the Committee today be deferred until the Taxi Consultation Group (TCG) has had time to debate it more thoroughly.

The Committee heard from Eric Anderson, Senior Solicitor, Licensing & Litigation who outlined the extensive consultation process which had already been undertaken with the taxi trade and other relevant groups.

The Committee also received a deputation from Graeme McColl, on behalf of the Aberdeen Taxi Group (ATG).

Mr. McColl advised that the ATG had hoped that the report would have been considered by the TCG prior to the Licensing Committee meeting today. He indicated that there were two issues before the Committee, namely the issue of capping taxi licences and the wheelchair accessible vehicle policy which should be considered separately. He explained that it was the view of the ATG that the capping of taxi plates (licences) was not needed as it would make no significant difference. He also advised that the ATG did not agree with the proposal for a 100% wheelchair accessible tax fleet by 2017.

At this juncture, Councillor Kiddie moved as a procedural motion, seconded by Councillor Nathan Morrison:-

“to defer consideration of the report and to refer it to the Taxi Consultation Group for discussion.”

On a division, there voted:- for the procedural motion (5) – Councillors Ironside CBE, Kiddie, Nathan Morrison, Reynolds and Townson; against the procedural motion (8) – the Convener, and Councillors Blackman, Cameron, Delaney, Forsyth, Grant, MacGregor and Malik.

The Committee resolved:-

to decline the procedural motion and to consider the report.

With reference to article 9 of the minute of its previous meeting of 17th April, 2012, 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 City.

The report recommended:-

that the Committee instructs officers -

- (a) to impose a limit on the current number of taxi licences (as at 6th June 2012) subject to recommendation (b) being approved; and
- (b) to amend the wheelchair accessible vehicle policy, by requiring that all taxi licence holders to provide a wheelchair accessible vehicle within 5 years of the Committee’s decision, subject to (a) above being approved.

The Convener, seconded by Councillor Cameron moved:-

“that the recommendations in the report be approved, in addition, that officers submit a future report providing more detail in relation to the taxi licence limit surveys and mini-surveys ”

Councillor Kiddie, seconded by Councillor Nathan Morrison moved as an amendment:-

“that the report be deferred until such time as the Taxi Consultation Group considers the report.”

Councillor Delaney moved as a further amendment:-

“to take no action in relation to recommendation (a) and that only recommendation (b) of the report be approved.”

Councillor Delaney’s amendment was not seconded, and so fell in terms of standing order 12(7).

On a division, there voted between the Convener's motion and Councillor Kiddie's amendment:- for the motion (7) – the Convener and Councillors Blackman, Cameron, Forsyth, Grant, MacGregor and Malik; for the amendment (5) – Councillors Ironside, Kiddie, Nathan Morrison, Reynolds and Townson; declined to vote (1) – Councillor Delaney.

The Committee noted that it was no longer appropriate to consider informal requests for exemption from the requirement to provide a wheelchair accessible vehicle and that officers would write to all taxi drivers that have made such requests.

The Committee resolved:-
to adopt the motion.

REVIEW OF THE OPERATION OF NIGHT TIME RANKS AND CLOSED RANKS – CG/12/046

8. 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 advised that the ATG were fully supportive of the night time rank operation in Aberdeen City, however due to an oversight of the trade or a miscommunication the side street ranks were closed when the night time ranks moved to weekly operation. In this regard, the ATG have indicated that they would still like to see the side ranks open during the week as there is very little space for taxis at the night time ranks, and as such, taxi drivers have to keep driving around until a rank space becomes available.

Eric Anderson, Senior Solicitor, Licensing & Litigation explained that agreeing to the request from the ATG would work against the positive benefits to the city's safety record and reputation, which in large part result from the current night time rank arrangement.

With reference to article 7 of the minute of meeting of 23rd November 2011, the Committee had before it for consideration, a report by the Director of Corporate Governance which provided information from key stakeholders and recommendations regarding its review of the operation of the operation of the night time ranks and closed ranks, in light of the information and recommendations in the Taxi Demand Survey by the Transport Research Institute, Taxi Studies Group, Edinburgh Napier University.

The report recommended:-
that the Committee –

- (a) declines the request, from the Taxi Consultation Group taxi trade representatives, to reopen certain daytime ranks at night time;
- (b) instructs officers of Environment, Planning and Infrastructure to investigate the possibility of creating further rank space for taxis at the existing night time ranks;
- (c) instructs officers of Environment, Planning and Infrastructure and Legal and Democratic Services, if it is possible to create further rank space, to commence the consultation and statutory procedures and report back to both the

- Environment, Planning and Infrastructure and Licensing Committees as required; and
- (d) instructs officers of Environment, Planning and Infrastructure to ensure that signage at Back Wynd and the Union Street night time ranks is clearly visible and easily understood (as an addition to the Committee's instructions regarding rank signage in terms of the Survey Rank Specific Recommendations report).

Councillor Blackman suggested that recommendation (b) be amended to include new ranks on main roads.

The Committee resolved:-

- (i) to approve recommendations (a), (c) and (d) of the report as outlined above; and
- (ii) to approve recommendation (b) as amended, to read as follows "instructs officers of Environment, Planning and Infrastructure to investigate the possibility of creating further rank space for taxis at the existing night time ranks or at new ranks on main roads."

AMENDMENTS TO LATE HOURS CATERING LICENSING – CG/12/027

9. With reference to article 12 of the minute of meeting of 17th November 2010, the Committee had before it for consideration, a report by the Director of Corporate Governance which provided details of the principal changes to Late Hours Catering Licensing, introduced by the Criminal Justice and Licensing (Scotland) Act 2010.

The report recommended:-

that the Committee notes the contents of the report.

The Committee resolved:-

to approve the recommendation.

FORMATION OF SUB-COMMITTEES, PANELS AND CONSULTATION GROUPS – CG/12/058

10. The Committee had before it for consideration, a report by the Director of Corporate Governance which sought the formation of the Committee's sub-committees, panels and consultation groups.

The report recommended:-

That the Committee:-

- (a) establishes a Licensing Evidential Hearing Sub-committee consisting of 7 elected members with the following composition (2 Labour, 2 SNP, 1 Lib Dem, 1 Conservative and 1 Independent Alliance) to meet as necessary;
- (b) establishes an Informal Business Panel consisting of 7 elected members with the following composition (2 Labour, 2 SNP, 1 Lib Dem, 1 Conservative and 1 Independent Alliance);
- (c) establishes a Sports Ground Advisory Group consisting of 5 elected members with the following composition (1 Labour, 1 SNP, 1 Lib Dem, 1 Conservative and 1 Independent Alliance);

- (d) establishes a Taxi Consultation Group consisting of 5 elected members with the following composition (1 Labour, 1 SNP, 1 Lib Dem, 1 Conservative and 1 Independent Alliance);
- (e) agrees that the Convener be included within the total membership of each and that names be provided to the Head of Legal and Democratic Services as soon as possible;
- (f) appoints a chairperson for each of the groups, except the Informal Business Panel which does not require one.
- (g) agrees the remit of the Informal Business Panel as follows:-
 "To consider any matters placed before it by the Head of Legal & Democratic Services relating to any matters on which the Licensing Committee can make decisions and to either grant or refuse applications where it deems appropriate"
 and
- (h) undertakes a review of the remit, governance and membership of the Taxi Consultation Group and instructs the Head of Legal and Democratic Services to provide a report on the results of the review at the next appropriate meeting of the Committee for its consideration.

The Committee resolved:-

to approve the recommendations contained within the report

COMMITTEE BUSINESS STATEMENT

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

The Committee resolved:-

to remove Items 1 (Criminal Justice and Licensing (Scotland) Act 2010), 3 (Review of the Night Time Ranks and Closed Ranks Condition) and 5 (Review of the Policy on Taxi Licences) from the Statement.

EXEMPT INFORMATION

In accordance with the information provided under Article 2 of the minute, the following items were considered with the press and public excluded.

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

12. With reference to article 11 of the minute of the previous meeting of 17th April, 2012, the Committee had before it for consideration, a request from Leslie Wilson dated 10th November, 2011, to waive the requirements to provide a wheelchair accessible vehicle if granted a taxi licence.

The Committee heard from Mr Wilson in support of his request.

The Committee resolved:-

to refuse the request.

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

13. With reference to article 12 of the minute of the previous meeting of 17th April 2012, the Committee had before it for consideration, a request from James Wilson dated 26th November, 2011, to substitute a saloon car onto his taxi licence.

The Committee heard from Mr Wilson in support of his request.

The Committee resolved:-

to refuse the request.

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

14. With reference to article 13 of the minute of the previous meeting of 17th April 2012, the Committee had before it for consideration, a request from Thomas Timms dated 10th December, 2011, to substitute a saloon car onto his taxi licence.

The Committee heard from Mr Timms in support of his request.

The Committee resolved:-

to refuse the request.

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

15. With reference to article 14 of the minute of the previous meeting of 17th April 2012, the Committee had before it for consideration, a request from Donna McDonald dated 7th December, 2011, to substitute a saloon car onto her taxi licence.

The Committee heard from Ms McDonald in support of her request.

The Committee resolved:-

to refuse the request.

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

16. With reference to article 15 of the minute of the previous meeting of 17th April 2012, the Committee had before it for consideration, a request from William Nicol dated 5th December, 2011, to substitute a saloon car onto his taxi licence.

The Committee heard from Mr Nicol in support of his request.

The Committee resolved:-
to refuse the request.

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

17. With reference to article 16 of the minute of the previous meeting of 17th April 2012, the Committee had before it for consideration, a request from Esther Kennedy dated 6th December, 2011, to substitute a saloon car onto her taxi licence.

The Committee heard from Ms Kennedy in support of her request.

The Committee resolved:-
to refuse the request.

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

18. With reference to article 17 of the minute of the previous meeting of 17th April 2012, the Committee had before it for consideration, a request from Henry Petrie to substitute a saloon car onto his taxi licence.

The Committee heard from Mr Petrie in support of his request.

The Committee resolved:-
to refuse the request.

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

19. With reference to article 18 of the minute of the previous meeting of 17th April 2012, the Committee had before it for consideration, a request from Stephen Insch to waive the requirements to provide a wheelchair accessible vehicle if granted a taxi licence.

The Committee heard from Mr Insch in support of his request.

The Committee resolved:-
to refuse the request;

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

20. 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.

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 event to which it relates could take place.

PUBLIC PROCESSION – OLYMPIC TORCH RELAY

21. The Committee heard Alyson Mollison, Legal Manager, explain that a notification in respect of a proposed public procession to be held on 12th June 2012 for the Olympic Torch Relay event had been submitted allowing insufficient time for the statutory 28 day notice period.

She intimated that the Committee if it so wishes, could decide to waive the period of notice and accept the late notification. The Chief Constable, Grampian Police and the Roads Authority had been consulted and had reported that they did not object to the late notification and would facilitate the road closures.

The Committee resolved:-

to waive the 28 day period of notice; and make an order dispensing with the statutory time limits.

- **COUNCILLOR MARIE BOULTON, Convener.**

APPENDIX A

**1. APPLICATION FOR A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Application Reference Number – 3/001
Premises – 626 George Street**

Mr Ally Thain, Public Sector Housing Manager, advised that there was one letter of representation, however this had been received outwith the statutory time period, within which, such letters must be received. He further advised that the Committee may consider a late representation if it was satisfied that it was reasonable for the respondent to make the representation after the deadline.

The Committee heard from the respondent who explained why the letter of representation should be considered today.

The Committee heard from Ms. Hayley Mitchell, Solicitor representing the applicant who objected to the letter of representation being introduced to the proceedings on the basis that the letter was not submitted timeously.

At this juncture, Councillor Blackman, moved as a procedural motion, seconded by Councillor Ironside:-

“that the letter of representation should not be admitted to the proceedings for consideration”

On a division, there voted:- for the procedural motion (3) – Councillors Blackman, Cameron and Ironside; against the procedural motion (9) – the Convener, and Councillors Delaney, Forsyth, Grant, Kiddie, MacGregor, Malik, Nathan Morrison and Townson.

The Committee resolved:-

that the procedural motion be declined and the letter of representation be admitted to the proceedings for consideration.

The Committee heard from the respondent

The Committee then heard from Ms. Mitchell in support of the application.

The Committee resolved:-

to grant the application.

**2. APPLICATION FOR A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Application Reference Number – 3/002
Premises – 265 Links Road**

The Committee had before it one letter of representation.

Ally Thain, Private Sector Housing Manager made reference to the title deeds for the premises which had been submitted by the respondent. He indicated that the

content in the title deeds was a matter for the owners to seek their own legal remedy, and therefore does not constitute a ground for refusal of the application. Mr Thain also advised that works on the premises had been completed.

The Committee heard from the respondent.

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

The Committee resolved:-

to grant the application.

**3. APPLICATION FOR A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Application Reference Number – 3/003
Premises – 2 Balgownie Road**

The Committee had before it two letters 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 respondent's representative Councillor Jaffrey.

The Committee then heard from the applicant Judith Finnie in support of the application who also circulated details of a structural report for the premises.

Councillor Cameron, seconded by Councillor Blackman moved:-
“that the application be granted”

Councillor Reynolds, moved as an amendment:-
“that the application be refused on the grounds that the property is unsuitable for occupation as a House of Multiple Occupation due to its location and condition”

Councillor Reynolds amendment was not seconded, and so fell in terms of standing order 12(7).

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 THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/004
Premises – 18B Craigie Street

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

5. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/005
Premises – 81C Hardgate

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

6. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/006
Premises – 57 Elmfield Avenue

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

7. **APPLICATION FOR THE RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/007
Premises – 150A Crown Street

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

8. **APPLICATION FOR THE RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/008
Premises – 4 Caroline Place

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

9. **APPLICATION FOR A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number – 3/009
Premises – 34 Nelson Court

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

10. APPLICATION FOR A VARIATION OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION

Application Reference Number – 3/010

Premises – 605B King Street

Ally Thain, Private Sector Housing Manager advised that the applicant Tudor Fernando had submitted an application to vary the current licence by nominating a separate day to day manager, namely Edward Thomas, Assistant Homelessness Manager, Aberdeen City Council.

The Committee resolved:-

to grant the application to vary the licence.

11. APPLICATION FOR THE RENEWAL OF A THEATRE LICENCE

Application Reference Number – 3/011

Premises – Aberdeen City Council – St Machar Academy

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

12. APPLICATION FOR THE RENEWAL OF A THEATRE LICENCE

Application Reference Number – 3/012

Premises – Aberdeen City Council – Riverbank School

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

13. APPLICATION FOR THE RENEWAL OF A THEATRE LICENCE

Application Reference Number – 3/013

Premises – Aberdeen City Council – Bucksburn Academy

Eric Anderson, Senior Solicitor, Licensing and Litigation advised that works on the premises were still not complete.

The Committee resolved:-

to defer the application.

14. APPLICATION FOR THE GRANT OF A SKIN PIERCING AND TATTOOING LICENCE – ABERDEEN COLLEGE

Application Ref No. 3/014

Premises – Aberdeen College, Gallowgate Centre

The Committee were advised that the application had been withdrawn.

15. **APPLICATION FOR THE GRANT OF A LATE HOURS CATERING LICENCE**
Application Ref No. 3/015
Premises – World Yummy Limited – Hillhead Campus, Don Street
Days/Times – Sunday to Thursday, 23:00 to 00:00
Friday and Saturday, 23:00 to 01:00

The Committee were advised that the application was before it because the hours the applicant was seeking to trade on Fridays and Saturdays were outwith its guidelines for premises located outwith the city centre.

The Committee heard a representative of the applicant company speak in support of the application.

The Committee resolved:-

to grant the application and to allow the applicant to trade until 01:00 on Fridays and Saturdays.

16. **APPLICATION FOR THE VARIATION OF A LATE HOURS CATERING LICENCE**
Application Ref No. 3/016
Premises – McDonalds Restaurants Ltd – Inverurie Road, Bucksburn
Days/Times – Monday to Sunday, 23:00 to 05:00

The Committee were advised that the application was before it because the hours the applicant was seeking to trade were outwith the guidelines for premises located outwith the city centre.

The Committee heard Ms Lesley Johnston, solicitor, speak in support of the application.

The Committee resolved:-

to grant the application and to allow the applicant to trade until 05:00 with the condition that additional litter pick-up patrols are arranged during these hours.

17. **APPLICATION FOR THE GRANT OF A MARKET OPERATORS LICENCE – SCORPION GB LTD**
Application Ref No. 3/017
Location – Park & Ride at Aberdeen Exhibition and Conference Centre
Days/Times – Saturdays and Sundays, 08:00 to 14:00

The Committee were advised that the applicant had withdrawn Saturday trading from his application.

The Committee heard from Mr Mohammed Choudry on behalf of Scorpion GB Ltd in support of his application. The Committee agreed to have circulated, details of additional conditions relating to the proposed Licence prepared by Mr Choudry following discussions with the Roads Authority.

The Committee resolved:-

to grant the application subject to the agreement with Enterprise, Planning and Infrastructure (Roads Projects) in respect of the additional conditions.

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

Application Ref No. 3/018

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 from Mr Mohammed Choudry on behalf of Scorpion GB Ltd in support of his application. The Committee agreed to have circulated, details of additional conditions relating to the proposed Licence prepared by Mr Choudry following discussions with the Roads Authority.

The Committee resolved:-

to grant the application for one year subject to the agreement with Enterprise, Planning and Infrastructure (Roads Projects) on the additional conditions.

19. APPLICATION FOR THE VARIATION OF A STREET TRADER (HOT FOOD) LICENCE – GRANNY'S SCULLERY

Application Ref No. 3/019

Additional Site – Beach Esplanade, east side 101 metres south of Wellington Street

Days/Times – Monday to Sunday, 08:00 to 18:00

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

20. APPLICATION FOR THE RENEWAL OF A STREET TRADER (HOT FOOD) LICENCE – ELIZABETH MAYERS

Application Ref No. 3/020

Site – Minto Avenue, 50 metres north of Hareness Road

Days/Times – Monday to Friday, 07:00 to 15:00

The Committee were advised that the application had been withdrawn.

21. APPLICATION FOR THE RENEWAL OF A STREET TRADER (HOT FOOD) LICENCE – ELAINE ELRICK

Application Ref No. 3/021

Site – Poynerook Road, south side 20 metres east of Raik Road

Days/Times – Monday to Friday, 07:30 to 15:00

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

22. **APPLICATION FOR THE RENEWAL OF A STREET TRADER (HOT FOOD) LICENCE – TERESA R JARVIE**
Application Ref No. 3/022
Site – Crombie Road, north side 15 metres east of Crombie Place
Days/Times – Monday to Friday, 09:00 to 14:00

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

23. **APPLICATION FOR THE RENEWAL OF A STREET TRADER (HOT FOOD) LICENCE – PRAWIT PHANUTHAT**
Application Ref No. 3/023
Site – Denmore Place, 120 metres west of Denmore Road
Days/Times – Monday to Friday, 11:00 to 15:00

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

24. **APPLICATION FOR THE GRANT OF A STREET TRADER (HOT FOOD) LICENCE – GILLIAN HADDEN**
Application Ref No. 3/024
Site – Craigshaw Road, Tullos, 130 metres east of Craigshaw Drive
Days/Times – Monday to Friday, 07:00 to 16:00

The Committee were advised that a letter of objection had been received, but that its content did not contain a valid ground of objection.

The objector was not present.

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

The Committee resolved:-
to grant the application.

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 heard from the applicant in support of his application.

Councillor Blackman, seconded by Councillor Forsyth moved:-

“to refuse the application on the advice of the Committee’s nominated Occupational Health Service provider (Serco), which was that the applicant was medically unfit to be issued with a licence.”

Councillor MacGregor, seconded by Councillor Nathan Morrison moved as an amendment:-

“to defer consideration of the application and await further medical information from the Committee’s nominated Occupational Health Service provider (Serco).”

On a division, there voted:- for the motion (6) – the Convener, and Councillors Blackman, Cameron, Delaney, Forsyth and Reynolds; for the amendment (5) – Councillors Grant, Ironside, MacGregor, Malik and Nathan Morrison; declined to vote (1) – Councillor Townson.

The Committee resolved:-

to adopt the motion to refuse the application on the grounds outlined above.

2. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER’S LICENCE
Application Ref No. 7/002

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

3. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER’S LICENCE
Application Ref No. 7/003

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

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

The Committee resolved:-

to defer consideration of the application to allow the applicant to attend an appointment of the Committee’s nominated Occupational Health Service

provider (Serco) for a medical assessment, thereafter to refer the matter to the Informal Business Panel for consideration.

4. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Ref No. 7/004

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

5. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Ref No. 7/005

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

The applicant was not present.

The Committee resolved:-

To defer consideration of the application until further information is received from Serco, following which, that the application be referred to the Informal Business Panel for consideration.

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

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, who also referred to a letter received from his medical practitioner dated 29th May 2012.

The Committee resolved:-

to refuse the application.

7. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Ref No. 7/007

The Committee had before it a letter of objection dated 16th March, 2012 from the Chief Constable, Grampian Police.

As a preliminary point, the Committee heard Sergeant Keith Middler, on behalf of the Chief Constable, seek the Committee's approval to introduce to the proceedings a further letter dated 11th May, 2012 which provided additional relevant information relating to the applicant.

The Committee heard from Mr Graeme Murray, Solicitor acting on behalf of the applicant who objected to the late letter being admitted to the proceedings on the basis that the applicant had not been interviewed by Grampian Police in connection with the matters contained in the letter and therefore it had, no relevance to the application.

The Committee having considered Sergeant Middler's request and the applicant's response agreed to admit the late letter to the proceedings.

The Committee heard Sergeant Middler in support of both letters.

The Committee then heard from Mr Murray on behalf of the applicant who also spoke on his own behalf in support of the application.

The Committee resolved:-
to refuse the application.

8. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE
Application Ref No. 7/008

The Committee had before it a letter of observation dated 22nd March, 2012 from the Chief Constable, Grampian Police, and heard Sergeant Keith Middler in its support.

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

The Committee resolved:-
to grant the application.

9. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE
Application Ref No. 7/009

The Committee had before it (a) a letter of observation dated 6th April, 2012 from the Chief Constable, Grampian Police, and heard Sergeant Keith Middler in its support; and (b) a medical assessment of the applicant from the Committee's nominated Occupational Health Service Provider (Serco) dated 22nd May, 2012.

The Committee then heard from Mr Graeme Murray, Solicitor on behalf of 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 and attending Serco for an annual medical assessment.

10. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Ref No. 7/010

As a preliminary point, the Committee were advised that a letter of objection by the Chief Constable had been submitted outwith the statutory time period.

Sergeant Keith Middler, Grampian Police addressed the Committee and provided details of the reasons behind the letter's late submission.

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 Sergeant Middler speak in support of the letter.

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

The Committee resolved:-
to refuse the application.

11. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE
Application Ref No. 7/011

The Committee had before it a letter of objection dated 20th April, 2012 from the Chief Constable, Grampian Police.

As a preliminary point, Sergeant Keith Middler, Grampian Police sought the Committee's approval to introduce details of the applicant's spent convictions on the basis that justice could not be done without the Committee admitting and considering the convictions.

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

The Committee also agreed to have circulated a references from the applicant's previous employers in support of the applicant.

The Committee heard Sergeant Middler speak in support of the letter.

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

The Committee resolved:-
to refuse the application.