

LICENSING COMMITTEE

ABERDEEN, 25 November 2014. Minute of Meeting of the LICENSING COMMITTEE. Present:- Councillor Carle, Convener; and Councillors Allan, Blackman, Boulton, Corall (for articles 1 to 9), Cormie (for articles 1 to 7), Lesley Dunbar, Forsyth, Graham, MacGregor (for articles 1 to 9), Malik, Malone (for articles 1 to 9) and Townson.

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MId=2930&Ver=4>

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

REQUESTS FOR DEPUTATION

1. The Committee had before it a number of requests for deputation as follows:
 - (a) Mr Tommy Campbell, Unite the Union, in relation to item 5.1 (CCTV – Taxis and Private Hire Cars – Policy Outcomes) on today’s agenda (article 9 refers);
 - (b) Mr Russell McLeod, Rainbow Cars Ltd, in relation to item 5.2 (Taxi Demand Survey) on today’s agenda (article 8 refers);
 - (c) Mr Tommy Campbell, Unite the Union, in relation to item 5.2 (Taxi Demand Survey) on today’s agenda (article 8 refers); and
 - (d) Mr Mark Cullen in relation to item 5.2 (Taxi Demand Survey) on today’s agenda (article 8 refers).

The Committee was advised that request 1(d) as detailed above had not been received within the terms outlined in Standing Order 10(1).

The Committee resolved:-

- (i) to agree to hear requests 1(a) – 1(c) prior to consideration of the report at the appropriate point in the agenda; and
- (ii) to suspend Standing Order 10(1), and to agree to hear request 1(d) prior to consideration of the report at the appropriate point in the agenda.

MINUTE OF MEETING OF 2 SEPTEMBER 2014

2. The Committee had before it the minute of its meeting of 2 September 2014.

The Committee resolved:-

to approve the minute as a correct record.

LICENSING COMMITTEE
25 November 2014

MINUTE OF MEETING OF 30 OCTOBER 2014

3. The Committee had before it the minute of its previous meeting of 30 October 2014.

The Committee resolved:-

to approve the minute as a correct record.

MINUTE OF MEETING OF THE LICENSING URGENT BUSINESS SUB-COMMITTEE OF 29 SEPTEMBER 2014

4. The Committee had before it the minute of the Licensing Urgent Business Sub Committee of 29 September 2014.

The Committee resolved:-

to note the minute.

MINUTE OF MEETING OF THE LICENSING URGENT BUSINESS SUB-COMMITTEE OF 16 OCTOBER 2014

5. The Committee had before it the minute of the Licensing Urgent Business Sub Committee of 16 October 2014.

The Committee resolved:-

to note the minute.

LICENSING OF HMOS AND REGISTRATION OF PRIVATE LANDLORDS - REFERRAL FROM THE COMMUNITIES, HOUSING AND INFRASTRUCTURE COMMITTEE OF 28 OCTOBER 2014

6. The Committee had before it by way of referral, a report from the Communities, Housing and Infrastructure Committee of 28 October 2014 relating to the licensing of houses in multiple occupation (HMO) and registration of private landlords.

The Communities, Housing and Infrastructure Committee had resolved:

- (i) to agree the following service improvements proposed in section 5.2.7 of the report:
 - (1) officers continue to ignore 'spent' convictions and approve the applications,
 - (2) powers be delegated to the Private Sector Housing Manager and Senior Private Sector Housing Officer (Rented Sector) to approve applications from landlords who had declared unspent convictions **and** who had appointed registered managing agents; and
 - (3) powers be delegated to the Private Sector Housing Manager and Senior Private Sector Housing Officer (Rented Sector) to approve applications

LICENSING COMMITTEE

25 November 2014

from landlords who had declared unspent convictions and who had not appointed registered managing agents, where following an interview, the applicant was considered to be low risk. (Any applicant considered to be a higher risk would continue to have his/her application referred to the Licensing Committee for determination);

- (ii) to agree the following service improvements proposed in section 5.2.8 of the report:
 - (1) that the online database would be set to automatically apply Late Application Fees on the expiry of registrations;
 - (2) that Rent Penalty Notices would be served thereafter on landlords who failed to renew their registrations;
 - (3) that where landlords had never registered, Rent Penalty Notices would be served after three written reminders;
- (iii) to agree to remit the report to the Licensing Committee on 25 November 2014; and
- (iv) to otherwise note the content of the report.

The Committee resolved:-

to note the content of the report.

APPLICATIONS FOR LICENCES

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

The Committee resolved:-

that all applications be determined on the basis shown in Appendix A and that all licences are subject to the Council's standard conditions unless otherwise stated.

DECLARATIONS OF INTEREST

Prior to consideration of the following item, the Convener and Councillor Graham declared interests as members of Unite. Neither of the members felt it necessary to leave the meeting during the Council's deliberations.

Councillor Allan declared an interest in regard to the following item of business by virtue of a personal connection and considered that the nature of her interest required him to withdraw from the meeting and take no part in the deliberations thereon.

LICENSING COMMITTEE

25 November 2014

TAXI DEMAND SURVEY (CG/14/161)

8. (A) In terms of Standing Order 10(2), the Council received a deputation from Mr Russell McLeod, Rainbow Cars Ltd. Mr McLeod welcomed the report and explained that despite the recommendations of the survey he wished for the limit on the number of taxi licences to be removed completely. He highlighted that Rainbow Cars had received 50,000 calls in September 2014 which it could not provide a service to due to the limit on the number of taxi licences. In order to ensure a quality and efficient service and to meet customers' requirements he believed that the number of taxis needed to be increased vastly and therefore did not feel that that the proposed increase of 30 taxi licences would meet the existing demand.

Members asked a number of questions of the deputation.

(B) In terms of Standing Order 10(2), the Council received a deputation from Mr Tommy Campbell, Unite the Union, who requested that further consultation on the survey report be undertaken. He explained that further consultation and input from the trade was required in order to ensure the survey explored all potential solutions to existing taxi demand. Therefore, he requested that the Committee defer consideration of the report and request officers to arrange a meeting with Committee, author of the report and all interested parties and report back thereafter.

Members asked a number of questions of the deputation.

(C) In terms of Standing Order 10(2), the Council received a deputation from Mr Mark Cullen, who advised that he agreed with Mr McLeod that increasing the number of licences by thirty would not achieve the desired outcome and therefore that the limit on the number of taxi licences should be removed. He highlighted the issue of existing taxi drivers not wishing to work at peak times and emphasised that the proposed increase of thirty would not address this issue.

Members asked a number of questions of the deputation.

(D) With reference to article 12 of the minute of the meeting of 17 September 2013, the Committee (1) received a presentation from Ian Millership, CTS Traffic and Transportation Ltd, in relation to the results of the taxi demand survey and (2) had before it a report by the acting Director of Corporate Governance which presented the results of the taxi demand survey undertaken by CTS Traffic and Transportation Ltd.

The report recommended:-

that the Committee –

- (a) note the results of the Survey and agree to an additional thirty taxi licences bringing the maximum number of taxi licences to 1079 ("Option 2");
- (b) instruct authorised officers of Legal and Democratic Services to process applications on the waiting list for taxi licences in accordance with the procedure as set out in this report; and
- (c) instruct authorised officers of Legal and Democratic Services to consult with officers from Communities and Housing to establish information sharing

LICENSING COMMITTEE

25 November 2014

procedures as part of the monitoring process referred to in recommendation (a) and report back to the Committee on progress within two cycles.

Councillor Boulton, seconded by the Convener, moved –
that the Committee approve the recommendations and to instruct authorised officers of Legal and Democratic Services to arrange a meeting with the survey author if possible and the relevant trade representatives to discuss the report and report back to the Committee on the outcome of the discussions within two cycles.

Councillor Corall, seconded by Councillor Townson, moved as an amendment –
that the Committee note the survey results and agree to remove the limit on the number of taxi licences in its entirety.

On a division, there voted:- for the motion (9) – the Convener and Councillors Blackman, Boulton, Lesley Dunbar, Forsyth, Graham, MacGregor, Malik and Townson; for the amendment (1) – Councillor Corall.

The Committee resolved:-

to adopt the motion.

DECLARATIONS OF INTEREST

Prior to consideration of the following item, the Convener and Councillor Graham declared interests as members of Unite. Neither of the members felt it necessary to leave the meeting during the Council's deliberations.

CCTV – TAXIS AND PRIVATE HIRE CARS - POLICY OUTCOME

9. With reference to article 6 of the minute of the meeting of 1 July 2014, the Committee had before it a report by the acting Director of Corporate Governance which advised of the outcome of further consultation on legal and policy proposals in respect of CCTV in taxis and private hire cars, and sought ratification of the proposed conditions of licence and approval of the updated policy.

The report recommended:-

that the Committee –

- (a) ratify the proposed conditions of licence as detailed in appendix 1;
- (b) approve the updated policy as detailed in appendix 2;
- (c) delegate powers to authorised officers to maintain an approved list of CCTV systems and suppliers; and
- (d) instruct officers to implement the above decisions and monitor their ongoing implementation at regular intervals.

The Committee resolved:-

- (i) to approve the recommendations;

LICENSING COMMITTEE

25 November 2014

- (ii) instruct officers to develop a standard CCTV sign which should be displayed in taxis; and
- (ii) to thank Mr Paul Connelly for his efforts in drafting the policy.

REQUESTS FOR FILM CLASSIFICATION - BELMONT CINEMA

10. The Committee had before it 3 requests for film classification for screening at Belmont Cinema as follows:-

- (1) Class Enemy - Suggested rating (15)
- (2) Girlhood - Suggested rating (15)
- (3) Inside Hana's Suitcase- Suggested rating (Exemption Education – 10+)

The Committee resolved:-

to approve the film classification certificates as listed above.

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 note that a report on item 1 (Taxi Licence Limit Surveys Update) was considered earlier on today's agenda.

EXEMPT INFORMATION

IN ACCORDANCE WITH THE DATA PROTECTION ACT 1988 (PRINCIPLE 1), THE PRESS AND PUBLIC WERE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM.

APPLICATIONS FOR LICENCES

12. 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 are subject to the Council's standard conditions unless otherwise stated.

- COUNCILLOR SCOTT CARLE, CONVENER

LICENSING COMMITTEE
25 November 2014

APPENDIX A

1. **APPLICATION FOR THE RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number - 4/01
Premises - Flat 13, 22 Bridge Street

The Committee resolved:-

to note that the application had been granted under delegated powers.

2. **APPLICATION FOR THE RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number - 4/02
Premises - 176c Clifton Road

The Committee resolved:-

to note that the application had been granted under delegated powers.

3. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number - 4/03
Premises - 37 Orchard Street

The Committee resolved:-

to note that the application had been granted under delegated powers.

4. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Reference Number - 4/04
Premises - 61 Leslie Road

With reference to article 1 of the minute of the meeting of 30 October 2014, the Committee had before it (1) a report by Mr Ally Thain, Private Sector Housing Manager, which advised that following the Committee's previous decision to defer consideration of the application until a site visit had been carried out, the applicant had amended the original licence application from a 5 bedroom to a 4 bedroom HMO; (2) a letter of representation; (3) and a letter of response from the applicant.

Mr Thain advised that upgrading works on the premises had still to be completed, although this was not the reason why the application was before the Committee today.

LICENSING COMMITTEE

25 November 2014

The Committee heard from the respondent's representative, Ms Hunt, in support of the letter of representation.

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

Councillor Townson, seconded by Councillor Blackman moved:-

that the application be granted under delegated powers for the full three year period, subject to the standard conditions being implemented, plus the additional conditions that 1) good quality carpet/vinyl (as appropriate) and good quality underlay was installed on all floors and the stairs of 61 Leslie Road, and 2) that the ground floor utility room was for non residential/less intrusive usage only.

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

that the application be granted under delegated powers for the full three year period for a maximum occupancy of four persons, subject to the standard conditions being implemented, plus the additional conditions that 1) good quality carpet/vinyl (as appropriate) and good quality underlay was installed on all floors and the stairs of 61 Leslie Road, and 2) that the ground floor utility room was to be used for storage only.

On a division, there voted:- for the motion (9) – the Convener and Councillors Allan, Blackman, Corall, Cormie, Forsyth, Graham, MacGregor and Townson; for the amendment (4) – Councillors Boulton, Lesley Dunbar, Malik and Malone.

The Committee resolved:-

to adopt the motion.

DECLARATION OF INTEREST

Councillor Townson declared a personal interest in the subject matter of the following item of business by virtue of him knowing one of the respondents and withdrew from the meeting during its consideration.

5. APPLICATION FOR THE RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION

Application Reference Number - 4/05

Premises - 24 Sunnyside Avenue

The Committee had before it four letters of representation.

The Committee heard from two of the respondents, namely: Mr Reid and Mrs Robertson.

The Committee then heard from the applicant's representative Mr Dawson, as well as their agent Ms Lees, Martin and Co., in support of the application.

LICENSING COMMITTEE

25 November 2014

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 LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**Application Reference Number - 4/06****Premises - 118 Hilton Heights**

The Committee had before it one letter of representation. The respondent was not in attendance.

The Committee heard from the applicant's agent Mr Bradley 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.

7. APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**Application Reference Number - 4/07****Premises - 33 Sunnybank Road**

With reference to item 5 of appendix A of the minute of the meeting of 2 September 2014, Mr Ally Thain, Private Sector Housing Manager, advised that the application had been submitted within one year of the date of refusal of the previous HMO licence application.

He explained that the local authority might consider a further application for an HMO licence, only where it was satisfied that there had been a material change of circumstances.

The Committee heard from the applicant's nephew, Mr Khan, who explained the material change since the previous application, namely that the necessary works had now been undertaken to the property. He also explained that he was due to attend the previous meeting on his uncle's behalf, however he had forgotten. Mr Thain advised that he was unable to confirm whether all of the necessary works had been undertaken as a final inspection of the property had not been requested.

LICENSING COMMITTEE

25 November 2014

The Committee resolved:-

to defer consideration of whether there was a material change until the next meeting of the Committee to enable officers to inspect the property and confirm the position in relation to the works which have allegedly been completed.

8. APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION

Application Reference Number - 4/08

Premises - 35 Clashrodney Avenue, Cove

The Committee had before it one letter of representation. The respondent was not in attendance.

The Committee heard from the applicant's representative Mr McNeil 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.

9. APPLICATION FOR THE RENEWAL OF A STREET TRADER (HOT FOOD) LICENCE - LINDA GILMOUR

Application Reference Number - 4/09

Location – Denmore Road, Football Pitch Car Park, Bridge of Don

Days/Times – Daily, 07:00 to 19:00

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

10. APPLICATION FOR THE GRANT OF A STREET TRADER (HOT FOOD) LICENCE - JUNE LINDSAY DEARY

Application Reference Number - 4/10

Location – (1) Moss Road, West Side, 160m South Gateway Drive and (2) Gateway Drive, Northern Spur, Westside, 50m North of roundabout

Days/Times – Monday to Saturday, 07:00 to 16:00

The Committee was advised that this item had been placed on the agenda because it is an application for a grant of a street trader (hot food) licence and officers did not have delegated powers to grant such applications.

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

The Committee resolved:-

to grant the application.

LICENSING COMMITTEE

25 November 2014

- 11. APPLICATION FOR THE GRANT OF A STREET TRADER (HOT FOOD) LICENCE - C & L CATERING**
Application Reference Number - 4/11
Location – Moss Road, Westside 110m south of Gateway Drive
Days/Times – Monday to Saturday, 07:00 to 16:00

The Committee was advised that this item had been placed on the agenda because it was an application for a grant of a street trader (hot food) licence and officers did not have delegated powers to grant such applications.

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

The Committee resolved:-

to grant the application.

- 12. APPLICATION FOR THE GRANT OF A TEMPORARY STREET TRADER LICENCE - ROSEMARY SCOTT**
Application Reference Number - 4/12
Location - St Nicholas Street, next to RBS Bank
Days/Times – Daily from 17 November to 31 December 2014, 09:00 to 17:00

The Committee was advised that guidelines stated that no street trading was permitted in the City Centre save where a special case could be made out by the applicant as to why the guideline should not apply. The Committee was also advised that the applicant had permission from the Enterprise Planning and Infrastructure to occupy the appropriate portion of the road and that she also had a food safety certificate.

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

The Committee resolved:-

to grant the application.

- 13. APPLICATION FOR THE VARIATION OF A STREET TRADER LICENCE - MAUREEN ROSS**
Application Reference Number - 4/13
Location - Intown Road, West Spur, North 120m West of Ellon Road
Days/Times – Daily, 08:00 to 20:00

The Committee had before it two letters of representation. The respondents were not in attendance.

The Committee was advised that this item had been placed on the agenda because it was an application for a variation of a street trader (hot food) licence for new site and officers did not have delegated powers to grant such applications. In addition, the applicant was seeking to trade between 08:00 and

LICENSING COMMITTEE

25 November 2014

20:00 hours Monday to Sunday, although the guideline hours for street trading were 07:00 to 19:00 Monday to Sunday.

The Committee heard from the applicant in support of the application. The applicant explained that she was not aware of the trading hour guidelines, but was content to amend the hours to meet the guidelines.

The Committee resolved:-

to grant the application, subject to the trading times being 07:00 to 19:00.

14. APPLICATION FOR THE VARIATION OF A STREET TRADER LICENCE

Application Reference Number - 4/14

Premises - Edward Reynolds

Location - Minto Drive, North Side 50m east of Minto Avenue

Days/Times – Daily, 08:00 to 16:00

The Committee was advised that this item had been placed on the agenda because it was an application for a variation of a street trader (hot food) licence for new site and officers did not have delegated powers to grant such applications. The Committee had before it a letter from Mr McKane, Enforcement Officer, which explained that he had attended the site at Minto Avenue and there were two hot food vans located side by side despite the licence holder only having a licence for one van. The first van was believed to be the van covered by the street traders licence and this was not operational. The second van was in full operation however there was no sign of an STT number, nor did this van have a valid food safety certificate.

Finally, Mr McKane highlighted that the first (old) van was located approximately 66 metres from Hareness Road and the second (new) van was located approximately 72 metres from Hareness Road. The street trader licence clearly states that the van should be 50 metres from Hareness Road.

The Committee heard from the applicant's wife in support of the application. She explained that the new van was only in operation for one day and when they were aware of the procedures to be followed closed the van. She confirmed that the old van does have a food safety certificate and raised concerns about the safety of the licenced location for the first van.

Councillor Malone, seconded by Councillor Cormie moved:-

that the application be deferred to the next meeting of the Committee to enable officers to investigate the concerns with the site location of the first (old) van and to confirm the position with the food safety certificate for the second (new) van.

LICENSING COMMITTEE

25 November 2014

Councillor Allan, seconded by the Convener moved as an amendment:-
that the application be granted, subject to the food safety certificate being received and to instruct officers to investigate the suitability of the initial site location on Minto Avenue, Aberdeen.

On a division, there voted:- for the motion (11) – the Convener and Councillors Allan, Blackman, Boulton, Corall, Lesley Dunbar, Forsyth, Graham, MacGregor, Malik and Townson; for the amendment (2) – Councillors Cormie, and Malone.

The Committee resolved:-
to adopt the motion.

- 15. APPLICATION FOR THE GRANT OF A SECOND HAND DEALER LICENCE-
KYRIACOS ROUSSIAS**
Application Reference Number - 4/15
Location - Castlegate
Days/Times - Thursday to Saturday, 09:00 to 15:00

The Committee had before it a letter of representation. The respondent was not in attendance.

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

The Committee resolved:-
to grant the application.

- 16. APPLICATION FOR THE GRANT OF A PRIVATE HIRE LICENCE - SAM
MURRAY**
Application Reference Number - 4/16

The Committee was advised that the application required to be determined by 21 January 2015, and that to date the applicant had not passed the street knowledge test which was required by the Committee's private hire licence policy.

The Committee heard from the applicant, Sam Murray, in support of the application.

The Committee resolved:-
to refuse the application.

LICENSING COMMITTEE

25 November 2014

17. APPLICATION FOR THE GRANT OF A TEMPORARY PRIVATE HIRE LICENCE – GAVIN JOHNSTON
Application Reference Number - 4/17

The Committee was advised that the application required to be determined by 4 February 2015, and that to date the applicant had not passed the street knowledge test which was required by the Committee's private hire licence policy.

The Committee heard from the applicant, Gavin Johnston, in support of the application.

The Committee resolved:-

to refuse the application.

18. APPLICATION FOR THE GRANT OF A PRIVATE HIRE LICENCE - TOMAS STENYS
Application Reference Number - 4/18

The Committee was advised that the application required to be determined by 2 January 2015, and that to date the applicant had not passed the street knowledge test which was required by the Committee's private hire licence policy.

The applicant was not present.

The Committee resolved:-

to refuse the application.

19. APPLICATION FOR THE GRANT OF A PRIVATE HIRE LICENCE - LUKASZ KULASZEWSKI
Application Reference Number - 4/19

The Committee was advised that the application required to be determined by 21 January 2015, and that to date the applicant had not passed the street knowledge test which was required by the Committee's private hire licence policy.

The applicant was not present.

The Committee resolved:-

to refuse the application.

LICENSING COMMITTEE

25 November 2014

20. APPLICATION FOR THE GRANT OF A PRIVATE HIRE LICENCE – PAUL MURRAY
Application Reference Number - 4/20

The Committee was advised that the application required to be determined by 27 January 2015, and that to date the applicant had not passed the street knowledge test which was required by the Committee's private hire licence policy.

The Committee heard from the applicant, Paul Murray, in support of the application.

The Committee resolved:-

to refuse the application.

21. APPLICATION FOR THE GRANT OF A PRIVATE HIRE LICENCE – NEIL ANDREW MASSON
Application Reference Number - 4/21

The Committee was advised that the application required to be determined by 27 January 2015, and that to date the applicant had not passed the street knowledge test which was required by the Committee's private hire licence policy.

The applicant was not present.

The Committee resolved:-

to refuse the application.

22. APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE – NEIL ESSON
Application Reference Number - 4/22

The Committee was advised that the application required to be determined by 12 December 2014, and that to date the applicant had not passed the street knowledge test which was a requirement.

The applicant was not present.

The Committee resolved:-

to refuse the application.

LICENSING COMMITTEE

25 November 2014

23. APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE – DAVID BRUCE

Application Reference Number - 4/23

The Committee was advised that the application required to be determined by 26 December 2014, and that to date the applicant had not passed the street knowledge test which was a requirement.

The applicant was not present.

The Committee resolved:-

to refuse the application.

24. APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE - JOHN BOYNE BLACK

Application Reference Number - 4/24

The Committee was advised that the application required to be determined by 26 December 2014, and that to date the applicant had not passed the street knowledge test which was a requirement.

The Committee heard from the applicant, John Black, in support of the application.

The Committee resolved:-

to defer the application to enable the applicant to sit the knowledge test and to refer to the Licensing Urgent Business Committee if the applicant was unsuccessful.

25. APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE – ANTHONY DIGBY

Application Reference Number - 4/25

The Committee was advised that the application had been withdrawn.

26. APPLICATION FOR THE SUBSTITUTION OF A TAXI DRIVER LICENCE – JAMES BYFIELD

Application Reference Number - 7/26

The Committee was advised that this item has been placed on the agenda because the applicant was proposing to substitute a 4 x 4 type vehicle on to his licence and the Committee had a policy that only allowed saloons, Multi person vehicle and Wheel Chair accessible vehicles to operate as taxis. However, there were currently eight 4 x 4 vehicles licensed as taxis.

LICENSING COMMITTEE

25 November 2014

The Committee heard from the applicant's representative, Nicola Brain, Simpson Marwick, in support of the application.

The Committee resolved:-

- (i) to grant the application; and
- (ii) to instruct officers to submit a report back on the suitability of 4x4 vehicles for the taxi fleet.

LICENSING COMMITTEE
25 November 2014

Appendix B

1. APPLICATION FOR THE GRANT OF A PRIVATE HIRE LICENCE
Application Reference Number - 8/01

The Committee had before it a letter of objection dated 9 July 2014, from the Chief Constable, Police Scotland, c/o Aberdeen City Division and heard Sergeant Barry Skinner speak in its support.

The Committee was advised that the applicant had not passed the street knowledge test.

The applicant was not in attendance.

The Committee resolved:-
to refuse the application.

2. APPLICATION FOR THE GRANT OF A PRIVATE HIRE LICENCE
Application Reference Number - 8/02

The Committee had before it a letter of objection dated 28 July 2014, from the Chief Constable, Police Scotland, c/o Aberdeen City Division and heard Sergeant Barry Skinner speak in its support.

The Committee was advised that the applicant had not passed the street knowledge test.

The applicant was not in attendance.

The Committee resolved:-
to refuse the application.

DECLARATION OF INTEREST

Councillor Allan declared an interest in regard to the following item of business by virtue of a personal connection and considered that the nature of her interest required him to withdraw from the meeting and take no part in the deliberations thereon.

LICENSING COMMITTEE

25 November 2014

3. APPLICATION FOR THE RENEWAL OF A TAXI LICENCE

Application Reference Number - 8/03

The Committee had before it a letter of representation dated 5 September 2014, from the Chief Constable, Police Scotland, c/o Aberdeen City Division and heard Sergeant Barry Skinner speak in its support.

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

The Committee resolved:-

to grant the application.

4. APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE

Application Reference Number - 8/04

The Committee had before it a letter of representation dated 21 July 2014, from the Chief Constable, Police Scotland, c/o Aberdeen City Division and heard Sergeant Barry Skinner speak in its support.

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

The Committee resolved:-

to grant the application.

5. APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE

Application Reference Number - 8/05

The Committee had before it a letter of objection dated 1 August 2014, from the Chief Constable, Police Scotland, c/o Aberdeen City Division and heard Sergeant Barry Skinner speak in its support.

The Committee was advised that the applicant had not passed the street knowledge test.

The applicant was not in attendance.

The Committee resolved:-

to refuse the application.

6. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

Application Reference Number - 8/06

The Committee had before it a letter of objection dated 26 August 2014, from the Chief Constable, Police Scotland, c/o Aberdeen City Division and heard Sergeant Barry Skinner speak in its support.

LICENSING COMMITTEE

25 November 2014

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

Councillor Townson, seconded by Councillor Graham moved:-
that the application be granted.

Councillor Forsyth, seconded by Councillor Blackman moved as an amendment:-

that the application be refused on the ground that the applicant was not a fit and proper person to hold a licence.

On a division, there voted:- for the motion (2) – Councillors Graham and Townson; for the amendment (6) – the Convener and Councillors Allan, Blackman, Lesley Dunbar, Forsyth and Malik.

The Committee resolved:-

to adopt the amendment.

7. APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE

Application Reference Number - 8/07

The Committee had before it a letter of representation dated 29 August 2014, from the Chief Constable, Police Scotland, c/o Aberdeen City Division and heard Sergeant Barry Skinner speak in its support.

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

The Committee resolved:-

to grant the application.

DECLARATION OF INTEREST

Councillor Allan declared an interest in regard to the following item of business by virtue of a personal connection and considered that the nature of her interest required him to withdraw from the meeting and take no part in the deliberations thereon.

8. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

Application Reference Number - 8/08

Ms Ruth O'Hare, Litigation and Licensing, advised that a letter of representation had been received from Police Scotland in respect of the application beyond the statutory time period within which such letters must be received. She further advised that the Committee might consider late representations if it was satisfied there is a sufficient reason why it was not made in the time required.

LICENSING COMMITTEE

25 November 2014

The Committee heard from Sergeant Barry Skinner, Police Scotland who explained why the letter of representation was late and should be considered today.

The Committee heard from the applicant who did not object to the letter of representation being submitted.

The Committee resolved:-

that the letter of representation from Police Scotland be introduced to the proceedings.

The Committee had before it a letter of objection dated 1 October 2014, from the Chief Constable, Police Scotland, c/o Aberdeen City Division and heard Sergeant Barry Skinner speak in its support.

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

The Committee resolved:-

to grant the application.

9. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE**Application Reference Number - 8/09**

The Committee had before it two letters from the Committee's nominated Occupational Health Service Provide (Serco) dated 25 June 2013 and 13 August 2014 in relation to the applicant.

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

The Committee resolved:-

to grant the application, subject to the applicant undertaking a medical examination with Serco in 12 months' time to assess his fitness.

10. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE**Application Reference Number - 8/10**

The Committee was advised that the applicant had not passed a medical examination to determine if the applicant met DVLA Group 2 standards.

The applicant was not in attendance.

The Committee resolved:-

to refuse the application.

LICENSING COMMITTEE

25 November 2014

11. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE**Application Reference Number - 8/11**

The Committee had before it a letter from the Committee's nominated Occupational Health Service Provide (Serco) dated 5 November 2014 in relation to the applicant.

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

The Committee resolved:-

to grant the application, subject to the applicant undertaking a medical examination with Serco in 12 months' time to assess his fitness.

12. APPLICATION FOR THE GRANT OF A TEMPORARY STREET TRADER LICENCE**Application Reference Number - 8/12**

Sergeant Barry Skinner, Police Scotland advised that in terms of Section 7(3) of the Rehabilitation of Offenders Act 1974, he sought the Committee's approval to provide details of the applicant's previous convictions. He submitted that justice could not be done without reference to the previous convictions.

The Committee heard from the applicant who did not object to the details of the previous convictions being provided.

The Committee resolved:-

that the details on the applicant's previous convictions be introduced to the proceedings.

The Committee had before it a letter of representation dated 11 November 2014, from the Chief Constable, Police Scotland, c/o Aberdeen City Division and heard Sergeant Barry Skinner speak in its support.

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

The Committee resolved:-

to grant the application.