

LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE

ABERDEEN, 10 March 2016. Minute of Meeting of the LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE. Present:- Councillor Carle, Convener; and Councillors Copland (as a substitute for Councillor Townson), Graham (as a substitute for Councillor Malik), Hutchison (as a substitute for Councillor Boulton) and Nicoll (as a substitute for Councillor Cormie).

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=547&MId=4169&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.

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.

RENEWAL OF A TAXI DRIVER'S LICENCE

1. With reference to article 6 of Appendix B of the minute of the meeting of the Licensing Committee of 19 January 2016, the Sub Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services; (2) judgement by the Sheriff; (3) correspondence from the Chief Constable, Police Scotland, c/o Aberdeen City Division; and (4) a range of documents submitted by the applicant.

As a preliminary matter, the applicant's Counsel referred to the Sheriff's judgement that a differently constituted committee should reconsider the application and therefore objected to the current membership of the Sub Committee. He moved that any Member on the Sub Committee who had previously considered the application should stand down or be substituted for this item of business.

The Sub Committee heard from Police Scotland regarding the preliminary matter.

Thereafter, Members considered the preliminary matter, during which it was proposed that a deferral of the application would be required in order to accommodate the matter raised. Both the applicant's Counsel and Police Scotland's Counsel spoke in response to the proposed deferral.

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The Sub Committee resolved:

- (i) to defer consideration of the application to a further meeting of the Sub Committee to be held on a mutually agreeable date and that the membership of the Sub Committee at that time would not include Members who had previously considered the application; and
 - (ii) to request officers to confirm the procedure to be adopted at the meeting with both parties.
- **SCOTT CARLE, Convener**