

## LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 1 September 2016. Minute of Meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present:- Councillor Carle, Convener; and Councillors Nicoll and Townson.

The agenda and reports associated with this minute can be found at:  
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=502&MI d=4420&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.

### DETERMINATION OF URGENT BUSINESS

1. In terms of Standing Order 28(5)(vi), and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Sub Committee was informed that it had to determine: (1) that the items on the agenda were of an urgent nature; and (2) that the Sub Committee required to consider the items and take a decision thereon.

**The Sub Committee resolved:**

to agree that the items were of an urgent nature and required to be considered this day.

### APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE – ALLAN MOULE

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

### APPLICATION FOR A PUBLIC CHARITABLE COLLECTION – ALAN LAWRIE

3. The Sub Committee had before it an information note by the Head of Legal and Democratic Services in respect of the application for a public charitable collection by Alan Lawrie to be held on Saturday 3<sup>rd</sup> September 2016 on Union Street outside Marks and Spencer.

The information note advised that in terms of the Licensing Committee's current policy, street collections were permitted every Monday, Thursday and Saturday and every day in December except Sundays and Public Holidays.

The applicant was not present.

**The Sub Committee resolved:**

to grant the application.

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**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 ITEMS.**

**APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE**

4. The Sub Committee had before it a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 17 March 2016.

The applicant was not in attendance.

The Sub Committee heard from Mrs Ruth O'Hare, Legal Advisor, who advised that the Council had not received a report from the Occupational Health Service Provider stating that the applicant meets DVLA Group 2 medical standards.

**The Sub Committee resolved:-**  
to refuse the application.

**APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE**

5. The Sub Committee had before it an information note by the Head of Legal and Democratic Services in respect of the application for the Grant of a Private Hire Car Driver's Licence which advised that a report from the Occupational Health Service Provider stating that the applicant meets DVLA Group 2 medical standards had not yet been received.

The applicant was present, accompanied by his nephew, who spoke on behalf of the applicant.

The Sub Committee heard from Mrs Ruth O'Hare, Legal Advisor, who advised that there was still adequate time for the applicant to submit the report from the Occupational Health Service Provider.

**The Sub Committee resolved:-**  
to defer consideration of the application until receipt of the Occupational Health Service Provider report.

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**DECLARATION OF INTEREST**

Councillor Townson declared an interest in relation to the following item of business by virtue that he gave evidence in a previous appeal relating to the applicant, he considered that the nature of his interest required him to leave the meeting and he took no part in the Sub Committee's deliberations thereon.

**DETERMINATION OF A MATERIAL CHANGE**

6. The Sub Committee heard from Mrs Ruth O'Hare, Legal Advisor, who advised that the applicant had an application for a Taxi Driver's Licence previously refused by the Committee, and could not therefore apply for a Taxi Driver's Licence for a period of one year unless there was a material change in circumstance.

The Sub Committee heard the applicant provide evidence in relation to a material change in circumstance.

The Sub Committee heard from Mrs Ruth O'Hare, Legal Advisor, who explained that the applicant had previously passed the Street Knowledge Test in respect of a previous application for a Taxi Driver's licence.

**The Sub Committee resolved:-**

- (i) to agree that there was a material change of circumstance and that the applicant could submit an application for a Taxi Driver's Licence; and
- (ii) to waive the requirement for the applicant to re-sit the Street Knowledge Test.

**- COUNCILLOR SCOTT CARLE, Convener**