

LICENSING COMMITTEE

ABERDEEN, 18 April 2017. Minute of Meeting of the LICENSING COMMITTEE.
Present:- Councillor Boulton, Convener; and Councillors Allan, Crockett, Lesley Dunbar, Graham, Hutchison, MacGregor, Malone, Nicoll, Reynolds, Samarai and Townson.

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MId=4348&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.

VALEDICTORY

1. The Convener highlighted that this was the last Licensing Committee meeting of the term and thanked officers for their support and advice to Committee. She also thanked Police Scotland for its participation in the work of the Committee.

The Committee resolved:

to concur with the remarks of the Convener.

REQUESTS FOR DEPUTATIONS

2. The Committee had before it a number of requests for deputation as follows:
1. Request by Mr Russell McLeod in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers);
 2. Request by Mr Russell McLeod in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers);
 3. Request by Mr Russell McLeod in relation to item 5.4 (Membership of the Taxi Consultation Group)
 4. Request by Mr McColl, Aberdeen Taxi Centre, in relation to item 3.2 (Request for Exemption from Vehicle Type and Branding Policy)
 5. Request by Mr McColl, Aberdeen Taxi Centre, in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers)
 6. Request by Mr McColl, Aberdeen Taxi Centre, in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers)
 7. Request by Mr McColl, Aberdeen Taxi Centre, in relation to item 5.4 (Membership of the Taxi Consultation Group)

The Committee noted that requests 4 to 7 had been received beyond the deadline required by Standing Orders and therefore the Committee would need to suspend Standing Order 10(1) should it wish to hear these deputations. In addition, the Committee noted that request 4 above did not relate to a substantive report on the agenda as required by Standing Orders and therefore the Committee would need to suspend Standing Order 10(1) should it wish to hear this deputation.

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The Committee resolved:-

- (i) to agree to hear the deputation from Mr McLeod in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers) prior to consideration of the report;
- (ii) to agree to hear the deputation from Mr McLeod in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers) prior to consideration of the report;
- (iii) to agree to hear the deputation from Mr McLeod in relation to item 5.4 (Membership of the Taxi Consultation Group) prior to consideration of the report;
- (iv) to decline to hear the deputation from Mr McColl in relation to item 3.2 (Request for Exemption from Vehicle Type and Branding Policy);
- (v) to suspend Standing Order 10(1) and thereby to agree to hear the deputation from Mr McColl in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers) prior to consideration of the report;
- (vi) to suspend Standing Order 10(1) and thereby to agree to hear the deputation from Mr McColl in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers) prior to consideration of the report; and
- (vii) to suspend Standing Order 10(1) and thereby to agree to hear the deputation from Mr McColl in relation to item 5.4 (Membership of the Taxi Consultation Group) prior to consideration of the report.

MINUTE OF PREVIOUS MEETING OF 7 FEBRUARY 2017

3. The Committee had before it the minute of its meeting of 7 February 2017.

The Committee resolved:

to approve the minute as a correct record.

MINUTE OF THE MEETING OF THE LICENSING URGENT BUSINESS SUB COMMITTEE OF 22 MARCH 2017

4. The Committee had before it the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017.

The Committee resolved:

to approve the minute as a correct record.

MINUTE OF THE MEETING OF THE LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE OF 8 AND 20 FEBRUARY AND 23 MARCH 2017

5. The Committee had before it the minutes of the meetings of the Licensing Evidential Hearings Sub Committee of 8 and 20 February and 23 March 2017.

The Committee resolved:

to approve the minutes as correct records.

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MINUTE OF MEETING OF THE TAXI CONSULTATION GROUP OF 28 FEBRUARY 2017

6. The Committee had before it the minute of the meeting of the Taxi Consultation Group of 28 February 2017.

The Committee resolved:

- (i) in relation to article 7 (Airport Taxis and Weekend Working), to note resolution (i) and the recommendation from the Taxi Consultation Group and to agree that the current condition enabling airport zoned taxis to operate in the city zone between midnight and 5am on Saturday nights/Sunday mornings be considered as part of the taxi demand survey; and
- (ii) to otherwise note the minute.

COMMITTEE BUSINESS STATEMENT

7. The Committee had before it a statement of Committee Business prepared by the Head of Legal and Democratic Services.

The Committee resolved:

- (i) to agree to delete items 1 (Survey on Unmet Taxi Demand – Collation of Data and Consultation with Trade), 2 (Training for Taxi Drivers), 3 (Private Hire Driver Training) and 8 (Knowledge Testing for Private Hire Drivers), subject to the decisions taken later on today's agenda; and
- (ii) In relation to item 5 (Review of Accessible Vehicles Policy), to note that officers were seeking further information on the response received from Dundee City Council and a report would be submitted to the Committee in due course; and
- (iii) to otherwise note the updates contained therein.

FILM CLASSIFICATION - CINEWORLD

8. The Committee had before it a request from Mr Steve Buchan, General Manager, Cineworld Cinemas to exhibit an unclassified locally produced short clip/advertisements produced by Northsound Radio on behalf of Stagecoach to promote the Stagecoach app.

The Committee resolved:

to approve the request.

REQUEST FOR EXEMPTION FROM VEHICLE TYPE AND BRANDING POLICY

9. The Committee had before it a request from Ms Wendy Devall, Economic Development, Aberdeen City Council, that the hydrogen Hyundai ix35, owned by the Council as part of the Aberdeen City Region Strategy, and which the Council wished to potentially lease to a taxi firm in Aberdeen as a private hire car, be exempt from the Committee's policies on vehicle type and branding.

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The Committee resolved:

to agree that it was willing, in principle, to consider licensing the vehicle.

APPLICATIONS FOR LICENCES

10. 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 were subject to the Council's standard conditions unless otherwise stated.

REQUESTS FOR DEPUTATION

11. In accordance with article 2 of this minute, the Committee heard the deputations as follows:

(A) In terms of Standing Order 10(1), the Committee received a deputation from Mr McLeod in relation to item 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers) wherein he asked that Committee agree to request the Taxi Consultation Group to explore how additional training could be incorporated within the knowledge test. He explained that they had previously been advised that the knowledge test could not be amended.

(B) In terms of Standing Order 10(1), the Committee received a deputation from Mr McLeod in relation to item 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers) wherein he requested that the Committee agree to take no immediate changes to the current knowledge test undertaken by taxi and private hire drivers. He explained that in his view the test was a necessity for all taxi and private hire drivers.

(C) In terms of Standing Order 10(1), the Committee received a deputation from Mr McLeod in relation to item 5.4 (Membership of the Taxi Consultation Group) wherein he suggested that the entire membership of the Taxi Consultation Group required to be reviewed as the current membership did not represent Aberdeen's taxi trade. He advised that if there was a desire to increase the membership, then he was of the view that all licenced booking offices should be invited to attend.

Members asked questions of Mr McLeod.

(D) In terms of Standing Order 10(1), the Committee received a deputation from Mr McColl in relation to items 5.1 (Response to Consultation on Training for Taxi and Private Hire Drivers) and 5.2 (Response to Consultation on Knowledge Test for Taxi and Private Hire Drivers) wherein he advised that he felt that both items could be considered together and highlighted that the response to the consultation on training for taxi and private hire drivers had been disappointed.

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He advised that he thought that for the majority of the trade that replied to the knowledge test questionnaire they found that the knowledge test questionnaire was more important than the extra training questionnaire. He went on to highlight that the overwhelming response from the trade (262 out of 322 indicated that the same test should apply to taxi and private hire drivers). In his view, the majority (81%) had made it clear that they felt it was best for the trade to have all drivers being fully knowledge tested. In terms of retesting, he highlighted that as a general rule nobody liked change and this was why he believed the majority of respondents did not want a retest. He agreed with this view and felt that a retest should only be needed if legislation required this.

Finally, he thought that the trade felt that the test was fit for purpose and that there was no need to change the current test, except with the addition of new streets as needed.

(E) In terms of Standing Order 10(1), the Committee received a deputation from Mr McColl in relation to item 5.4 (Membership of the Taxi Consultation Group) wherein he advised that if membership was opened up to Aberdeen Taxis then he felt all of the offices in Aberdeen should be allowed representation on the Consultation Group. He also felt that taxi operators in Aberdeen would have valid input to the Taxi Consultation Group meetings.

Members asked questions of Mr McColl.

RESPONSE TO CONSULTATION ON TRAINING FOR TAXI AND PRIVATE HIRE DRIVERS - CG/17/019

12. With reference to article 7 of the minute of the Licensing Committee of 1 September 2015, the Committee had before it a report by the Interim Director of Corporate Governance which provided analysis of the results of the consultation on training for taxi and private hire drivers.

The report recommended –
that the Committee –

- (a) note the results of the consultation exercise; and
- (b) decide whether or not to proceed with further consultation and if so, the nature and content of such further consultation.

The Committee resolved:

- (i) to note the results of the consultation exercise;
- (ii) to agree to refer the matter of training for taxi and private hire drivers to the Taxi Consultation Group for further discussion with the trade and that a report be submitted to the Licensing Committee thereafter for consideration; and
- (iii) to instruct the Head of Legal and Democratic Services to write to Scottish Enterprise to clarify whether any funding sources were available for taxi and private hire driver training.

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RESPONSE TO CONSULTATION ON KNOWLEDGE TEST FOR TAXI AND PRIVATE HIRE DRIVERS - CG/17/044

13. With reference to (1) article 8(D) of the minute of the meeting of the Licensing Committee of 19 January 2016; and 2 article 6 of the minute of the meeting of the Licensing Committee of 13 December 2016, the Committee had before it a report by the Interim Director of Corporate Governance which provided analysis of the results of the consultation on the knowledge test for taxi and private hire drivers.

The report recommended –
that the Committee –

- (a) note the results of the consultation exercise; and
- (b) instruct no change to the format of the knowledge test.

The Convener, seconded by Councillor Reynolds moved:-
that the Committee –

- (1) note the results of the consultation exercise;
- (2) instruct no change to the format of the knowledge test for taxi and private hire drivers; and
- (3) instruct the Head of Legal and Democratic Services to discuss the format of the knowledge test with the Taxi Consultation Group as part of the further discussion on training for taxi and private hire drivers.

Councillor Townson, seconded by Councillor Nicoll moved as an amendment:-
that the Committee –

- (1) note the results of the consultation exercise;
- (2) instruct no change to the format of the knowledge test for taxi drivers; and
- (3) instruct no change, at present, to the format of the knowledge test for private hire drivers and to instruct the Head of Legal and Democratic Services to research and design a streamlined knowledge test for private hire drivers in consultation with the trade and that this be reported to a future meeting of the Licensing Committee for consideration.

On a division, there voted:- for the motion (8) – the Convener; and Councillors Crockett, Graham, Hutchison, MacGregor, Malone, Reynolds and Samarai; for the amendment (2) – Councillors Nicoll and Townson.

The Committee resolved:
to adopt the motion.

TAXI DEMAND SURVEY AND PRIVATE HIRE CAR OVERPROVISION - CG/17/045

14. With reference to article 6 of the minute of the Licensing Committee of 27 January 2015, the Committee had before it a report by the Interim Director of Corporate Governance which provided information in relation to the taxi demand survey and the overprovision assessment for private hire cars.

The report recommended –
that the Committee -

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- (a) note that in terms of best practice a taxi demand survey should be carried out by November 2017;
- (b) instruct the Head of Legal and Democratic Services to conduct a taxi demand survey before June 2018 in conjunction with taxi fare review;
- (c) decide whether it wished to introduce an overprovision policy;
- (d) if the Committee decided to introduce an overprovision policy; to instruct the Head of Legal and Democratic Services to carry out an overprovision assessment at the same time as the taxi demand survey.

The Committee resolved:

- (i) to approve recommendation (a); and
- (ii) to instruct the Head of Legal and Democratic Services to report on the outcome of the taxi demand survey by June 2018 in conjunction with the taxi fare review.

MEMBERSHIP OF THE TAXI CONSULTATION GROUP - CG/17/043

15. The Committee had before it a report by the interim Director of Corporate Governance which sought consideration of a request by Aberdeen Taxis Ltd to join the Taxi Consultation Group (TCG).

The Committee resolved:-

to agree to review the remit, governance and membership of the Taxi Consultation Group following the Scottish Local Government Elections in May 2017.

CONFIDENTIAL INFORMATION

The press and public were excluded from the meeting for consideration of the following items which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.

APPLICATIONS FOR LICENCES

16. 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 were subject to the Council's standard conditions unless otherwise stated.

- COUNCILLOR MARIE BOULTON, Convener.

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APPENDIX A

1. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Premises - 3 Roslin Terrace, Aberdeen
Application Reference Number – 4/1

The Committee had before it a report by the Private Sector Housing Manager in respect of the application and two letters of representation.

The applicant's agent, Mr Chris Minchin, was in attendance.

One of the respondents Mr Peter Coutts was in attendance and spoke in support of his letter of representation. The second respondent, Mr David Green, was not in attendance, nor represented. The Committee asked questions of Mr Coutts.

The Committee then heard from the applicant's agent in support of the application. The Committee asked questions of the applicant's agent.

The Committee resolved:

to defer consideration of the HMO application until the works were completed, after which time the Private Sector Housing Manager could grant the HMO application for a one year period under delegated powers if appropriate.

2. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Premises - 28A Bedford Avenue, Aberdeen
Application Reference Number – 4/2

The Committee had before it a report by the Private Sector Housing Manager in respect of the application.

Mr Thain advised that one letter of representation had been received in respect of the application beyond the statutory time period within which such letters must be received (21-day period). He further advised that the Committee might consider late representations if it was satisfied that it was reasonable for the respondents to make the representation after the deadline.

The applicant, Mr James Morrison was present.

The late respondent, Mr Gordon Rhind, was present. Mr Rhind explained why his letter of representation was late and why it should be considered today. The applicant had no objection to the letter of representation being circulated.

Mr Thain further advised that the applicant had submitted a letter responding to the matters raised in the late representation and therefore the Committee would also require to consider whether to accept the submission from the applicant.

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The Committee resolved:-

that the letter of representation by Mr Rhind Wilson, and the letter of response from the applicant, Mr James Morrison, be introduced into the proceedings.

The Committee heard from Mr Rhind who spoke in support of his letter of representation. The Committee asked questions of Mr Rhind.

The Committee then heard from the applicant, Mr Morrison, in support of the application. The Committee asked questions of the applicant.

The Committee resolved:

to grant the HMO licence.

**3. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Premises - 10 Elmbank Road, Aberdeen (First floor flat)
Application Reference Number – 4/3**

The Committee had before it a report by the Private Sector Housing Manager in respect of the application and two letters of representation.

The applicant, Mrs Margaret Stevenson, was in attendance.

Neither of the respondents, Ms Vicki Grant or Ms Angela Scott, were in attendance, nor represented.

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

The Committee resolved:

to grant the HMO licence.

DECLARATION OF INTEREST

During consideration of the following item, Councillor Hutchison declared an interest in the following article by virtue of having been in attendance at an Old Aberdeen Community Council meeting which was referred to in the submission of one of the respondents. He did not consider the nature of the interest required him to withdraw from the meeting during consideration of the application.

**4. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Premises - 11 Orchard Walk, Aberdeen
Application Reference Number – 4/4**

The Committee had before it a report by the Private Sector Housing Manager in respect of the application and five letters of representation.

Mr Thain advised that one letter of representation had been received in respect of the application beyond the statutory time period within which such letters must be

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received (21-day period). He further advised that the Committee might consider late representations if it was satisfied that it was reasonable for the respondents to make the representation after the deadline.

The applicant, Mr Patrick Hart was present.

The late respondent, Mr Gail Fletcher-Graspy, was present. Mrs Fletcher-Graspy explained why her letter of representation was late and why it should be considered today. The applicant had no objection to the letter of representation being circulated.

The Committee resolved:-

that the letter of representation by Mrs Gail Fletcher-Graspy be introduced into the proceedings.

The Committee heard from four of the respondents who were present, namely: Mrs Sally Jasper, Mr Paul Foy, Mr Dewi Morgan and Mrs Gail Fletcher-Graspy, who all spoke in support of their letters of representation. One of the respondents, Mr Robert Fletcher-Graspy was not in attendance but was represented by Mrs Gail Fletcher-Graspy. One of the respondents, Ms Amanda Dappin, was not in attendance, nor represented. The Committee asked questions of the respondents in attendance.

The Committee then heard from the applicant, Mr Hart, in support of the application. The Committee asked questions of the applicant.

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person and that the property was unsuitable for occupation as an HMO due to the possibility of undue public nuisance.

5. GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Premises - 67 Cornhill Gardens, Aberdeen
Application Reference Number – 4/5

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

6. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Premises - Woodend Staff Home, Eday Road, Aberdeen
Application Reference Number – 4/6

The Committee had before it a report by the Private Sector Housing Manager in respect of the application.

The applicant was not in attendance.

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The Committee resolved:

to grant the HMO licence for a one year period.

7. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Premises - 166 Bannermill Place, Aberdeen
Application Reference Number – 4/7

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

8. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Premises - 1 Seaview Road, Aberdeen
Application Reference Number – 4/8

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

9. **APPLICATION FOR A PUBLIC CHARITABLE COLLECTION - LINDA LAMMENSAL - UNIVERSITY OF ABERDEEN DEVELOPMENT TRUST**
Location – Beach Esplanade
Application Reference Number – 4/9

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant was not in attendance.

The Committee resolved:

to grant the application.

10. **APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE - TREVOR MAIR**
Location – Dyce, Bridge of Don and Peterculter
Application Reference Number – 4/10

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

11. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - BEN MOURAN**
Application Reference Number – 4/11

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

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The applicant was not in attendance.

The Committee resolved:

to accept the application for the renewal of a taxi driver's licence and to instruct the Licensing Team Leader to process it accordingly.

12. APPLICATION FOR THE RENEWAL OF A TAXI LICENCE - STEPHEN MITCHELL

Application Reference Number – 4/12

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant was not in attendance.

The Committee resolved:

to refuse the application on the basis that the applicant's vehicle had not passed the required hackney test.

13. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE - KALEEM IMRAN

Application Reference Number – 4/13

The Committee was advised that the application had been withdrawn.

14. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - FARRUCKH NADEEM

Application Reference Number – 4/14

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

15. APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE - SHAHGULAM MUKHTAR

Application Reference Number – 4/15

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant was not in attendance.

The Committee resolved:

to refuse the application on the basis that the applicant had not provided a copy of his driving licence or a valid check code from the DVLA to allow checks to be carried out.

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16. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - ANGELA ROSENDALE**
Application Reference Number – 4/16

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mrs Angela Rosendale, was in attendance, accompanied by her solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

17. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - PAUL ROSENDALE**
Application Reference Number – 4/17

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Paul Rosendale, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

18. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - RAHMAN ALI**
Application Reference Number – 4/18

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

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The applicant, Mr Rahman Ali, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

**19. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - CRISTIAN POPESCU
Application Reference Number – 4/19**

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Cristian Popescu, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

**20. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - MOHAMMAD SHAKIL MIAH
Application Reference Number – 4/20**

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Mohammad Shakil Miah, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

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21. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - JAFFARALI NALLA MOHAMED**
Application Reference Number – 4/21

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Jaffarali Nalla Mohamed, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

22. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - SURESH THAVAM**
Application Reference Number – 4/22

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Suresh Thavam, was in attendance, accompanied by his solicitor Mrs Fiona Mitchell. The Committee heard from Mrs Mitchell in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

DECLARATIONS OF INTEREST

Prior to consideration of the following item, Councillor Hutchison declared an interest in the following article by virtue of knowing the applicant's solicitor, and considered that the nature of his interest required him to leave the meeting and took no part in the Committee's deliberation of the application.

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Councillors MacGregor and Samarai declared an interest in the following article by virtue of knowing the applicant's solicitor. Neither Councillor considered that the nature of their interest required them to withdraw from the meeting during consideration of the application.

23. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE – LIAM WALKER**
Application Reference Number – 4/23

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Liam Walker, was in attendance, accompanied by his solicitor Mr Donald. The Committee heard from Mr Donald in support of the application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

DECLARATIONS OF INTEREST

Prior to consideration of the following item, Councillor Hutchison declared an interest in the following article by virtue of knowing the applicant's solicitor, and considered that the nature of his interest required him to leave the meeting and took no part in the Committee's deliberation of the application.

Councillors MacGregor and Samarai declared an interest in the following article by virtue of knowing the applicant's solicitor. Neither Councillor considered that the nature of their interest required them to withdraw from the meeting during consideration of the application.

24. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE – STEVEN SMITH**
Application Reference Number – 4/24

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Steven Smith, was in attendance, accompanied by his solicitor Mr Donald. The Committee heard from Mr Donald in support of the application.

The Committee asked questions of the applicant.

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The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

25. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE – DENNIS EWING
Application Reference Number – 4/25

With reference to article 2 of the minute of the meeting of the Licensing Urgent Business Sub Committee of 22 March 2017, the Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant, Mr Dennis Ewing, was in attendance. The Committee heard from Mr Ewing in support of his application.

The Committee asked questions of the applicant.

The Committee resolved:

to grant the application for a one year period from the date the licence was due for renewal.

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APPENDIX B

1. **APPLICATION FOR THE RENEWAL OF A LANDLORD REGISTRATION**
Application Reference Number – 6/1

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 15 February 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

The applicant was in attendance and spoke in support of the application.

The Committee resolved:

to approve the application for a landlord registration.

2. **APPLICATION FOR THE GRANT OF A LANDLORD REGISTRATION**
Application Reference Number – 6/2

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 3 March 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

The applicant was not in attendance.

The Committee resolved:

to refuse the application for a landlord registration on the grounds that the applicant was not a fit and proper person.

3. **APPLICATION FOR THE GRANT OF A STREET TRADER'S LICENCE**
Application Reference Number – 6/3

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

Mr Munro, Legal Advisor, advised that Police Scotland wished to lodge a late letter of objection in respect of the application and highlighted that this was submitted beyond the statutory time period within which such letters must be received. He further advised that the Committee might consider late representations if it was satisfied there was a sufficient reason why it was not made in the time required.

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

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The applicant was in attendance, accompanied by his sister and father, and confirmed he had received a copy of the letter and that he had no objection to the letter being entered into proceedings.

The Committee resolved:-

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

Sergeant Jardine, Police Scotland, spoke in support of the letter of objection dated 8 March 2017.

The applicant was in attendance and spoke in support of the application.

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person.

**4. APPLICATION FOR THE GRANT OF A WINDOW CLEANER'S LICENCE
Application Reference Number – 6/4**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 2 March 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

The applicant was not in attendance.

The Committee resolved:

to grant the application.

DECLARATION OF INTEREST

Prior to consideration of the following item, Councillor Samarai declared an interest in the following article by virtue of knowing the applicant through her previous employment, and withdrew from the meeting prior to consideration of the application.

**5. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE
Application Reference Number – 6/5**

With reference to article 9 of appendix B of the minute of the meeting of the Licensing Committee of 7 February 2017, the Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 30 November 2016, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

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The applicant was not in attendance.

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person.

**6. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE
Application Reference Number – 6/6**

With reference to article 17 of appendix B of the minute of the meeting of the Licensing Committee of 7 February 2017, the Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 25 November 2016, and Sergeant Jardine was in attendance and advised that Police Scotland had withdrawn its letter of objection.

The applicant was in attendance and spoke in support of the application.

The Committee resolved:

to defer consideration of the application for the applicant to provide his driver's licence, upon receipt of which, the Head of Legal and Democratic Services could grant the application under delegated powers, or otherwise refer it to a meeting of Licensing Urgent Business Sub Committee meeting.

**7. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE
Application Reference Number – 6/7**

With reference to article 18 of appendix B of the minute of the meeting of the Licensing Committee of 7 February 2017, the Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 29 November 2016, and Sergeant Jardine was in attendance and spoke in support of the letter of objection.

The applicant was not in attendance.

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person.

**8. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE
Application Reference Number – 6/8**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of

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objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 3 April 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of objection.

The applicant was in attendance and spoke in support of the application.

The Committee resolved:

to refuse the application on the grounds that the applicant was not a fit and proper person.

DECLARATION OF INTEREST

During consideration of the following item, Councillor MacGregor declared an interest in the following article by virtue of having knowledge of a matter raised in the letter from Police Scotland in relation to the application. Councillor MacGregor withdrew from the meeting during consideration of the application and took no part in the Committee's deliberation of the application.

9. **APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE**
Application Reference Number – 6/9

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 3 April 2017, and Sergeant Jardine was in attendance.

Mr Munro, Legal Advisor, advised that Police Scotland wished to lodge a further letter of objection in respect of the application and highlighted that this was submitted beyond the statutory time period within which such letters must be received. He further advised that the Committee might consider late representations if it was satisfied there was a sufficient reason why it was not made in the time required.

The Committee heard from Sergeant Jardine, Police Scotland who explained why the further letter of objection was late and should be considered today.

The applicant was in attendance and confirmed he had received a copy of the letter and that he had no objection to the letter being entered into proceedings.

The Committee resolved:

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

Sergeant Jardine, Police Scotland, spoke in support of the letters of objection dated 3 and 13 April 2017.

The applicant was in attendance and spoke in support of the application.

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The Committee resolved:

to defer consideration of the application to a meeting of the Licensing Urgent Business Sub Committee to enable further information on the applicant's licence history to be provided.

**10. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE
Application Reference Number – 6/10**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 3 February 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of objection.

The applicant was in attendance and spoke in support of the application.

The Committee resolved:

to defer consideration of the application for the applicant to pass the required street knowledge test, after which time the Head of Legal and Democratic Services could grant the licence under delegated powers if the applicant had passed the street knowledge test, or otherwise refer it to a meeting of Licensing Urgent Business Sub Committee meeting.

**11. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE
Application Reference Number – 6/11**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 20 February 2017, and Sergeant Jardine was in attendance.

The applicant was not in attendance.

The Committee resolved:

to defer consideration of the application to the next meeting of the Committee on 13 June 2017 to provide the applicant with another opportunity to be present.

**12. APPLICATION FOR THE GRANT OF A TEMPORARY AND FULL TAXI DRIVER'S LICENCE
Application Reference Number – 6/12**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 8 March 2017, and Sergeant Jardine was in attendance and spoke in support of the letter of representation.

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The applicant was in attendance and spoke in support of the application.

The Committee resolved:

to grant both applications.

**13. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference Number – 6/13**

The Committee had before it an information sheet prepared by the Head of Legal and Democratic Services in respect of the application.

The applicant was not in attendance.

The Committee resolved:

to grant the application and to request that the applicant undertake a medical review annually.

**14. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference Number – 6/14**

The Committee had before it (1) an information sheet prepared by the Head of Legal and Democratic Services in respect of the application; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 22 February 2017, and Sergeant Jardine was in attendance.

The applicant was not in attendance.

The Committee resolved:

to defer consideration of the application to the next meeting of the Committee on 13 June 2017 to provide the applicant with another opportunity to be present.