

LICENSING SUB COMMITTEE

ABERDEEN, 3 April 2018. Minute of meeting of the LICENSING SUB COMMITTEE. Present: Councillor Reynolds, Convener; and Councillors Bell, Malik and Townson.

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=624&MId=6330&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.

PROCEDURE NOTE

1. The Sub Committee had before it a note outlining the procedure to be adopted by the Sub Committee in dealing with the hearing of the request for suspension of a licence as listed on today's agenda as item 2.

The Sub Committee resolved:

to note the procedure to be adopted.

CONFIDENTIAL INFORMATION

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

REQUEST FOR THE SUSPENSION OF A TAXI DRIVER'S LICENCE

2. With reference to article 2 of the minute of the meeting of the Sub Committee of 22 March 2018, the Sub Committee had before it (1) an information note prepared by the Chief Officer - Governance in respect of the request for suspension which advised that the request had to be determined by 5 April 2018; and (2) a letter dated 21 February 2018 from the Chief Constable, Police Scotland, c/o Aberdeen City Division, which in terms of Paragraphs 11 and 12 of Schedule 1 to the Civic Government (Scotland) Act 1982, requested the suspension of the licence holder's taxi driver's licence.

The licence holder was not in attendance.

Constable Fyfe was in attendance on behalf of Police Scotland and spoke in support of the request for suspension from Police Scotland.

The Sub Committee asked questions of Constable Fyfe.

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The Sub Committee resolved:

to agree to suspend the licence holder's taxi driver's licence with immediate effect for its unexpired portion in terms of Paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 on the basis that the applicant was not a fit and proper person and that the licence holder be instructed to return his licence plates to the Head of Legal and Democratic Services immediately.

PRIVATE HIRE OPERATOR - SUBSTITUTION OF A VEHICLE

3. The Sub Committee had before it an information note prepared by the Chief Officer - Governance in respect of the application which advised that the applicant wished to substitute his existing vehicle with a vehicle type which was outwith the current policy onto licence PH223.

The applicant Mr Jack was in attendance, along with his representative by Mr Campbell, Unite the Union.

The Sub Committee heard from Ms Jennifer Wilson, Legal Advisor, who advised that the current policy for licensing of Taxis/Private Hire vehicles permits vehicles that were a saloon, estate (derived from a Saloon), MPV (people carrier), Mini-Bus (8 passengers or less) or accessible vehicle and that the applicant's current and proposed vehicle did not comply with these vehicle types. She explained that the applicant's current vehicle was of the same type of vehicle and that this had been approved in 2014 in error.

Mr Campbell spoke on behalf of the applicant, and in support of the request for the substitution of a vehicle.

Members of the Sub Committee asked questions of the applicant.

The Sub Committee resolved:-

to approve the application in light of the special circumstances.

JOHN REYNOLDS, Convener

LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE