

LICENSING COMMITTEE

ABERDEEN, 5 June 2018. Minute of meeting of the LICENSING COMMITTEE. Present: Councillor Reynolds, Convener; and Councillors Allan, Bell, Copland (as a substitute for Councillor Townson for article 14 and appendix B), Delaney, Henrickson (as a substitute for Councillor Catriona Mackenzie), McRae, Sellar and Townson.

The agenda and reports associated with this minute can be found at:-
<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MId=6274&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.

URGENT BUSINESS

1. The Committee noted that there were no items of urgent business.

EXEMPT BUSINESS

2. The Committee noted there were no items of exempt business.

CONFIDENTIAL BUSINESS

3. The Committee was advised that the applications listed at item 7 on the agenda were to be heard in private and treated as confidential information in terms of Section 50(A)(3)(b) of the Local Government (Scotland) Act 1973

The Committee resolved:

to note that applications/requests to be heard in private and treated as confidential information in terms of Section 50(A)(3)(b) of the Local Government (Scotland) Act 1973 were listed at item 7 on the agenda.

DECLARATIONS OF INTEREST

4. The following declarations of interest were intimated at this time:
 - (i) Councillor Malik declared an interest in relation to item 8.11 (Request for the Suspension of a Late Hours Catering Licence – Marco's, 12 Belmont Street), by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of this item; and
 - (ii) Councillor McRae declared an interest in relation to item 8.22 (Application for the Renewal of a Taxi Driver's Licence – Jamie Gibson), by virtue of knowing the applicant, and withdrew from the meeting prior to consideration of this item.

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REQUEST FOR DEPUTATION BY MR CAMPBELL, UNITE, IN RELATION TO ITEM 9.1 (WHEELCHAIR ACCESSIBLE VEHICLE TAXI POLICY UPDATE)

5. The Committee had before it a request for deputation from Mr Tommy Campbell, Unite in relation to item 9.1 (Wheelchair Accessible Vehicle Taxi Policy) on the agenda.

The Committee resolved:

to note the deputation and that it would be heard immediately prior to consideration of item 9.1 (Wheelchair Accessible Vehicle Taxi Policy Update) on the agenda.

REQUEST FOR DEPUTATION BY MR CULLEN, IN RELATION TO ITEM 9.1 (WHEELCHAIR ACCESSIBLE VEHICLE TAXI POLICY UPDATE)

6. The Committee had before it a request for deputation from Mr Mark Cullen, in relation to item 9.1 (Wheelchair Accessible Vehicle Taxi Policy) on the agenda.

The Committee resolved:

to note that the request for deputation from Mr Cullen had been withdrawn.

REQUEST FOR DEPUTATION BY MR MCCOLL IN RELATION TO ITEM 9.2 (TAXI FARE REVIEW)

7. The Committee had before it a request for deputation from Mr Graeme McColl, Aberdeen Taxi Centre in relation to item 9.2 (Taxi Fare Review) on the agenda.

The Committee resolved:

to note the deputation and that it would be heard immediately prior to consideration of item 9.2 (Taxi Fare Review) on the agenda.

MINUTE OF PREVIOUS MEETING OF 17 APRIL 2018

8. The Committee had before it the minute of its meeting of 17 April 2018 for approval.

The Committee resolved:

to approve the minute as a correct record.

MINUTES OF THE MEETINGS OF THE LICENSING SUB COMMITTEE OF 25 APRIL, 2 AND 21 MAY 2018

9. The Committee had before it the minute of the meetings of the Licensing Sub Committee of 25 April, 2 and 21 May 2018 for approval.

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The Committee resolved:

to approve the minutes as correct records.

COMMITTEE BUSINESS PLANNER

10. The Committee had before it the committee business planner as prepared by the Chief Officer – Governance.

The Committee resolved:

- (i) to agree to remove item 6 (Development of Models for Civic Leadership and Engagement) and to note that any future proposals would be presented to the appropriate Committee for consideration; and
- (ii) to otherwise note the committee business planner.

CONFIDENTIAL INFORMATION

The press and public were excluded from the meeting for consideration of the applications listed in section 7 on the agenda and appendix A of the minute which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.

APPLICATION FOR LICENCES

11. 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.

WHEELCHAIR ACCESSIBLE VEHICLE TAXI POLICY UPDATE

12. (A) In accordance with article 5 of this minute, the Committee received a deputation from Mr Tommy Campbell, Unite in relation to item 9.1 (Wheelchair Accessible Vehicle Taxi Policy Update) on the agenda.

Mr Tommy Campbell advised that Unite the Union's position in respect of the Council's Accessible Vehicle Policy remained the same as that presented previously, namely it did not accept that a 100% accessible vehicle taxi fleet was required as in their view demand for accessible vehicles was met by the existing number of accessible taxis in Aberdeen at this time. Mr Campbell believed that this position had been supported by the responses to the consultation held and appended to the report. He emphasised the

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importance of ensuring equality of choice and he believed that this was currently being delivered through the mixed fleet.

Mr Peter Campbell referred to his experience of driving both types of vehicle and advised of customer feedback he had received wherein passengers had advised they wanted a choice and did not want a 100% wheelchair accessible fleet. He also felt that a root and branch consultation should be undertaken as he believed key groups were missing from the consultation responses.

He recommended that the Committee maintain a mixed fleet of taxi vehicles rather than a 100% WAV policy.

(B) With reference to article 16 of the minute of the meeting of the Licensing Committee of 12 September 2017, the Committee had before it a report by the Chief Officer – Governance which presented the results of the consultation exercise and advised of the potential legal and financial implications of adopting a mixed fleet policy.

The report recommended:-

that the Committee –

- (a) note the results of the consultation exercise;
- (b) note the potential legal and financial implications of adopting a mixed fleet policy; and
- (c) agree to continue with the current policy whereby all taxis require to be wheelchair accessible vehicles by June 2019 in light of the legal and financial implications of changing policy at this time.

The Committee resolved:

- (i) to agree recommendation 2.1 as contained in the report;
- (ii) to instruct the Chief Officer - Governance to change the implementation date of the existing policy to June 2023;
- (iii) to recognise that in compliance with The Equality Act 2010 that all taxi user requirements should be considered and instructs the Chief Officer - Governance:
 - (1) to prepare a report with suitable mixed fleet policy options for the split which would address all customer needs whether they are a wheelchair user, visually impaired or have other mobility requirements or other relevant disability;
 - (2) to submit the aforementioned options to the Licensing Committee meeting by June 2022 for consideration, noting that subject to the approval in principle of the options a full consultation as outlined in section 4.2 of the report would be undertaken and the outcome reported back to the Committee; and
- (iv) to further recognise that in 1994 when new applications for taxi licences were required to be wheelchair accessible vehicles an exemption was allowed for existing licence holders, at that time, to retain a non-accessible vehicle and even licence a further non-accessible vehicle on renewal of the licence or replacement of such vehicle and to agree that this exemption should remain meantime and instructs the Chief Officer - Governance to incorporate this exemption as an

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option within the proposed mixed fleet policy options to be submitted to Committee by June 2022.

TAXI FARE REVIEW

13. (A) In accordance with article 5 of this minute, the Committee received a deputation from Mr Graeme McColl, Aberdeen Taxi Centre in relation to item 9.2 (Taxi Fare Review) on the agenda

Mr McColl advised that Aberdeen Taxi Group agreed with parts of the report especially in respect to the rise in costs over the last few years. It was Aberdeen Taxi Group's opinion that costs had actually risen by more than the report stated as although the trade used the same formula they didn't agree with where some of the information now came from. Also, he highlighted that some of the information was now outdated and stated that using information from 2014 was not ideal. However, they accepted that until the formula was changed then there was little that could be done at this time.

Mr McColl advised that they had expressed at a meeting of the Taxi and Private Hire Consultation Group that the fare structure should not contain 2 and 1 pence pieces and expressed his disappointment that this aspect did not seem to have been taken in to consideration. In this regard, he asked that this be looked at and the increase worked out on reducing the yardage. He explained that the Aberdeen Taxi Group felt that this would be the best working practice for a taxi driver.

Finally, he intimated that the Aberdeen Taxi Group agreed that it should only be the basic tariff that was increased and that all extras should stay the same.

(B) With reference to article 17 of the minute of the meeting of the Licensing Committee of 17 April 2018, the Committee had before it a report by the Chief Officer – Governance which presented evidence from a consultation to allow it to reach an informed decision on any changes to be made to the current taxi fare tariff and comply with its duty to review taxi fares under section 17 of the Civic Government (Scotland) Act 1982.

The report recommended:-

that the Committee –

- (a) consider the report and any representations made by members of the taxi trade and the public to the consultation (Appendix 3);
- (b) agree to either Option A or Option B as the proposed scales to be advertised for the taxi fare review in terms of section 17 of the Civic Government (Scotland) Act 1982;
- (c) instruct the Chief Officer - Governance to amend the fare card at surcharge 5 to reflect the holiday dates for 2019 and 2020;
- (d) instruct the Chief Officer - Governance to advertise the proposed scales agreed in a newspaper circulating in its area for at least one month together with the

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general effect of the proposed scales and the date when it was proposed that they would take effect; and

- (e) agree to amend the previous decision of 17 April 2018 and to instruct the Chief Officer - Governance to submit a report to the special meeting of the Licensing Committee on 9 July 2018 on the outcome of the consultation on the proposed scales and seeking a final decision on the future taxi fare levels to be adopted from 22 July 2018.

The Committee resolved:

- (i) to consider the report and any representations made by members of the taxi trade and the public to the consultation (Appendix 3);
- (ii) to agree that the option to increase the current basic tariff by 5% by amending the first 940 yard to £2.50 instead of 950 yard at £2.52 and for each additional 258 yards to 30p be advertised as the proposed scales for the taxi fare review in terms of section 17 of the Civic Government (Scotland) Act 1982;
- (iii) to instruct the Chief Officer - Governance to amend the fare card at surcharge 5 to reflect the holiday dates for 2019 and 2020;
- (iv) to instruct the Chief Officer - Governance to advertise the proposed scales agreed in a newspaper circulating in its area for at least one month together with the general effect of the proposed scales and the date when it is proposed that they will take effect; and
- (v) to amend the previous decision of 17 April 2018 and to instruct the Chief Officer - Governance to submit a report to the special meeting of the Licensing Committee on 9 July 2018 on the outcome of the consultation on the proposed scales and seeking a final decision on the future taxi fare levels to be adopted from 22 July 2018.

APPLICATION FOR LICENCES

14. 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 John Reynolds, Convener.

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APPENDIX A**1. LANDLORD REGISTRATION
Application Reference 7/01**

The Committee had before it a report by the Private Sector Housing Manager in respect of an application for landlord registration which included a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 4 May 2018.

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter of representation.

The applicant was not in attendance, however was represented. The applicant's representative spoke in support of the application.

The Committee asked questions of the Sergeant Flett and the applicant's representative.

Both parties summed up.

The Committee resolved:

to refuse the application for landlord registration.

**2. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 7/02**

The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 31 July 2018; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 20 February 2018.

The applicant was in attendance, accompanied by his trade union representative who spoke in support of the application.

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter of representation.

The Committee asked questions of the applicant and Sergeant Flett.

Both parties summed up.

The Committee resolved:

to grant the application.

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**3. REQUEST FOR EXEMPTION FROM THE STREET KNOWLEDGE TEST
Application Reference 7/03**

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the request for exemption from the Committee's street knowledge test for taxi drivers which had been received on 21 March 2018.

The applicant was not in attendance, but had submitted a letter and Mr Munro, Legal Advisor, read this out to the Committee.

The Committee resolved:

to refuse the request on the basis that the evidence to substantiate the statements made had not been submitted and to agree that should this evidence be presented the Committee would consider the request again.

**4. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE
Application Reference 7/04**

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

**5. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 7/05**

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 7 August 2018; and (2) a letter from the Council's Occupational Health Provider dated 25 April 2018.

Mr Munro, Legal Advisor, provided the Committee with an overview of the application and its current status.

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

The applicant did not take up the opportunity to sum up.

The Committee resolved:

to defer consideration of the application to allow a medical report from OH Assist to be received and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Chief Officer - Governance could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Sub Committee for consideration.

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**6. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 7/06**

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 3 July 2018; and (2) a letter from the Council's Occupational Health Provider dated 21 March 2018.

Mr Munro, Legal Advisor, provided the Committee with an overview of the application and its current status.

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

The applicant did not take up the opportunity to sum up.

The Committee resolved:

to defer consideration of the application to allow a medical report from OH Assist to be received and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Chief Officer - Governance could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Sub Committee for consideration.

**7. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE
Application Reference 7/07**

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 14 August 2018; and (2) a letter from the Council's Occupational Health Provider dated 4 May 2018.

Mr Munro, Legal Advisor, provided the Committee with an overview of the application and its current status.

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

The applicant did not take up the opportunity to sum up.

The Committee resolved:

to defer consideration of the application to allow a medical report from OH Assist to be received and to agree that should the applicant meet the Group 2 DVLA medical criteria, the Chief Officer - Governance could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Sub Committee for consideration.

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8. REQUEST TO BE EXEMPT FROM THE REQUIREMENT TO PROVIDE A WHEELCHAIR ACCESSIBLE VEHICLE
Application Reference 7/08

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the request for exemption from the requirement to provide a wheelchair accessible vehicle on medical grounds which had been received on 21 March 2018.

The applicant was in attendance, accompanied by his trade union representative who spoke in support of the request.

Members asked questions of the applicant and his representative.

The applicant's representative summed up.

The Committee resolved:

to agree that the applicant be exempt from the requirement to provide a wheelchair accessible vehicle on the basis of the individual circumstances.

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APPENDIX B

1. **GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 71 GARDNER CRESCENT, ABERDEEN**
Application Reference Number - 8/01

The Committee noted that the application for a licence had been withdrawn.

2. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 12D ROSLIN STREET, ABERDEEN**
Application Reference Number - 8/02

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

3. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 33A BALNAGASK AVENUE, ABERDEEN**
Application Reference Number - 8/03

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

4. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 216B HOLBURN STREET, ABERDEEN**
Application Reference Number - 8/04

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

5. **RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 14C WELLINGTON STREET, ABERDEEN**
Application Reference Number - 8/05

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

6. **GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 71 CONSTITUTION STREET, ABERDEEN**
Application Reference Number - 8/06

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

The applicant, Ms Diane Burnett, was not in attendance, nor represented.

The Committee resolved:

to refuse the licence.

**7. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 1 ABBOTSWELL DRIVE, ABERDEEN
Application Reference Number - 8/07**

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

**8. GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 102 CLIFTON ROAD, ABERDEEN
Application Reference Number - 8/08**

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

**9. RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 61 LESLIE ROAD, ABERDEEN
Application Reference Number - 8/09**

The Committee noted that the objection had been withdrawn.

**10. GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 61 CLIFTON ROAD, ABERDEEN
Application Reference Number - 8/10**

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

The applicant was represented by Mr Lewis Stuart, Managing Director, Belvoir, who spoke in support of the application.

One of the respondents, Mr McNee, was in attendance and spoke in support of his representation. The other respondent Mrs Nicol was not in attendance, nor represented.

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The Committee asked questions of the applicant's representative and the respondent in attendance.

The respondent, Mr McNee, summed up.

The applicant summed up.

The Committee resolved:

to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the licence under delegated powers if appropriate.

DECLARATION OF INTEREST

In accordance with article 4 of this minute, the Convener, Councillor Malik, left the meeting prior to consideration of the following item of business.

11. **REQUEST FOR SUSPENSION OF A LATE HOURS CATERING LICENCE - MARCO'S, 12 BELMONT STREET**
Application Reference Number - 8/11

The Committee had before it (1) an information sheet prepared by the Chief Officer – Governance in respect of the request which advised that Environmental Health had requested in terms of schedule 1, section 11 of the Civic Government (Scotland) Act 1982, the suspension of the licence holder's late hours catering licence; and (2) letters from Environmental Health dated 5 February and 16 May 2018 regarding the licence and advising of concern about his suitability to hold a Late Hours Catering Licence.

The licence holder, Behroz Hamedi, was not in attendance.

Mr Andrew Gilchrist, Principal Environmental Health Officer, and Ms Alison Robertson, Environmental Health Officer, were in attendance and spoke in support of the request for suspension of the Late Hours Catering Licence.

The Committee heard from Mr Munro, Legal Advisor, who advised that in respect of the request, the Committee could take no action, suspend the licence or revoke the licence.

The Committee asked questions of the officers from Environmental Health.

Councillor Bell, seconded by Councillor Delaney, moved:-

that the Committee revoke the licence on the grounds that the licence holder was not a fit and proper person.

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Councillor Copland, seconded by Councillor Henrickson, moved as an amendment:-

that the Committee suspend the licence for 3 months.

On a division, there voted:- for the motion (6) – the Convener; and Councillors Allan, Bell, Henrickson, Delaney, McRae and Sellar; for the amendment (2) – Councillors Copland and Henrickson.

The Committee resolved:

to adopt the motion.

**12. APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE - LISAN ERYGIT - HARENESS ROAD
Application Reference Number - 8/12**

The Committee had before it an information sheet prepared by the Chief Officer - Governance in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 14 August 2018, and to date the applicant had not provided a copy of the required Certificate of Compliance.

The applicant, Ms Lisan Erygit, was in attendance and spoke in support of the application.

Mr Andrew Gilchrist, Principal Environmental Health Officer, advised that the application had been submitted some time ago but had been lost and therefore for the applicant had been required to submit a further application and he apologised for this and advised that an inspection would be undertaken as soon as possible.

The Committee resolved:

to defer consideration of the application to allow a Certificate of Compliance to be received and to agree that should a certificate be received, the Chief Officer - Governance could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration.

**13. APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE - LISAN ERYGIT - CRAIGSHAW CRESCENT
Application Reference Number - 8/13**

The Committee had before it an information sheet prepared by the Chief Officer - Governance in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 14 August 2018,

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and to date the applicant had not provided a copy of the required Certificate of Compliance.

The applicant, Ms Lisan Eryigit, was in attendance and spoke in support of the application.

Mr Andrew Gilchrist, Principal Environmental Health Officer, advised that the application had been submitted some time ago but had been lost and therefore the applicant had been required to submit a further application and he apologised for this and advised that an inspection would be undertaken as soon as possible.

The Committee resolved:

to defer consideration of the application to allow a Certificate of Compliance to be received and to agree that should a certificate be received, the Chief Officer - Governance could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration.

**14. APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE - ALLAN STRACHAN
Application Reference Number - 8/14**

The Committee had before it an information sheet prepared by the Chief Officer - Governance in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 24 July 2018, and to date the applicant had not provided a copy of the required Certificate of Compliance.

The applicant, Mr Allan Strachan, was in attendance and spoke in support of the application.

Mr Andrew Gilchrist, Principal Environmental Health Officer, advised that an inspection would be undertaken as soon as possible.

The Committee resolved:

to defer consideration of the application to allow a Certificate of Compliance to be received and to agree that should a certificate be received, the Chief Officer - Governance could grant the application under delegated powers, or otherwise that the application be referred to a meeting of the Licensing Urgent Business Sub Committee for consideration.

**15. APPLICATION FOR THE GRANT OF A SECOND HAND DEALER'S LICENCE - DEIMATAS JUSCIUS
Application Reference Number - 8/15**

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The Committee had before it an information sheet prepared by the Chief Officer - Governance in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 23 October 2018, and three letters of public representation had been received.

The applicant, Mr Deimatas Juscius, was not in attendance.

Mr Munro, Legal Advisor, advised that one letter of representation had been received from Ms Fiona Tyrie, Senior Housing Officer, Aberdeen City Council, 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 that it was reasonable for the respondents to make the representation after the deadline.

The late respondent, Ms Fiona Tyrie was not present, however Mr Munro advised the Committee of the explanation for the late submission as detailed in the letter lodged by Ms Tyrie.

The Committee resolved:-

that the letter of representation by Ms Tyrie, Senior Housing Officer, should be introduced into the proceedings.

The timely respondents Mr Robert Wilson, Mr Doug Hewitt and Mr Stuart McAully were in attendance and each spoke in support of their respective letters of representation.

The Committee asked questions of the respondents.

The Committee resolved:

to refuse the application on the following grounds:

1. the applicant was not a fit and proper person to be the holder of the licence; and
2. the premise was not suitable for the conduct of the activity having regard to the location, character or condition of the premises or the character or condition of the vehicle or vessel; the nature and extent of the proposed activity; the possibility of undue public nuisance; and public order or public safety.

**16. APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE -
ZOUFAGHAR MOLLAEIAN
Application Reference Number - 8/16**

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application

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had been placed on the agenda as it required to be determined by 5 June 2018, and to date the applicant had not passed the required street knowledge test.

The applicant, Mr Zoulfaghar Mollaeian, was not in attendance.

The Committee resolved:

to refuse the application.

17. **APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE - KATHIRAVELU MANIMARAN**
Application Reference Number - 8/17

The Committee noted that the application had been withdrawn.

18. **APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE - ROBERT MACKINTOSH MCKENZIE**
Application Reference Number - 8/18

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 5 August 2018, and to date the applicant had not passed the required street knowledge test.

The applicant, Mr Robert McKenzie, was not in attendance.

The Committee resolved:

to refuse the application.

19. **APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE - EDWARD DONALD**
Application Reference Number - 8/19

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the applicant was seeking exemption from the requirement to pass the street knowledge test.

The applicant, Mr Edward Donald, was in attendance and spoke in support of his request for exemption.

The Committee resolved:

to agree that the applicant be exempt from the requirement to undertake a street knowledge test on the basis of the individual circumstances.

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**20. APPLICATION FOR THE GRANT OF A TEMPORARY TAXI DRIVER'S LICENCE - WILLIAM DUGUID
Application Reference Number - 8/20**

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 14 November 2018, and to date the applicant had 9 points on his licence.

The applicant, Mr William Duguid, was in attendance and spoke in support of the application.

The Committee resolved:

to grant the application and to agree that applicant's full licence application which was being processed did not require to be submitted to the Committee in respect of the points on his licence.

**21. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - GORDON ANDERSON
Application Reference Number - 8/21**

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

DECLARATION OF INTEREST

In accordance with article 4 of this minute, the Convener, Councillor McRae, left the meeting prior to consideration of the following item of business.

**22. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - JAMIE GIBSON
Application Reference Number - 8/22**

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

**23. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - BRIAN OGG
Application Reference Number - 8/23**

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

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24. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - LEE WEBSTER

Application Reference Number - 8/24

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 18 August 2018, and to date the applicant had 9 points on his licence.

The applicant, Mr Lee Webster, was not in attendance.

The Committee resolved:

to grant the application.

25. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - LEE WEBSTER

Application Reference Number - 8/25

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

26. APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE - JACEK GUZOWSKI

Application Reference Number - 8/26

The Committee noted that the application had been withdrawn.

27. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - WAYNE GREIG

Application Reference Number - 8/27

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

28. APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE - REYNALDO SANTOS

Application Reference Number - 8/28

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 24 July 2018,

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and to date had (1) not passed the required street knowledge test; and (2) not provided proof of his right to work in the UK.

The applicant, Mr Reynaldo Santos, was not in attendance.

The Committee resolved:

to refuse the application.

29. **APPLICATION FOR THE RENEWAL OF A TAXI LICENCE - RAINBOW CARS LTD (T813)**
Application Reference Number - 8/29

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

30. **APPLICATION FOR THE RENEWAL OF A TAXI LICENCE - THOMAS BREBNER**
Application Reference Number - 8/30

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

31. **APPLICATION FOR THE RENEWAL OF A TAXI LICENCE - RAINBOW CARS LTD (T855)**
Application Reference Number - 8/31

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

32. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR LICENCE - RAYMOND WILLIAM CHRISTIE**
Application Reference Number - 8/32

The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the application had been placed on the agenda as it required to be determined by 4 June 2018, and to date the vehicle had not passed the required inspection.

The applicant, Mr Raymond Christie, was not in attendance.

Mr Munro, Legal Advisor, advised that the date on the information note was incorrect and confirmed that the application had to be determined by 5 June not 4 June 2018.

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The Committee resolved:

to refuse the application.

33. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR LICENCE - ADAM MARCINIAK**
Application Reference Number - 8/33

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

34. **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR LICENCE - LEE PARKER**
Application Reference Number - 8/34

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

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