

## LICENSING COMMITTEE

ABERDEEN, 1 September 2020. Minute of Meeting of the LICENSING COMMITTEE. Present:- Councillor Reynolds, Convener; and Councillors Allan, Bell, Cooke (as substitute for Councillor Al-Samarai), Delaney, Henrickson, Macdonald (as substitute for Councillor Malik), McLellan (as substitute for Councillor Henrickson for item 1 only), Sellar and Townson.

The agenda and reports associated with this minute can be found [here](#).

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.

### DECLARATIONS OF INTEREST

1. At the commencement of the meeting, Councillor Cooke, seconded by Councillor Delaney moved, as a procedural motion:-  
that with regard to the Equalities Act 2010, that all items on the agenda be deferred until such time officers update the guidelines for attending Town House Meetings.

On a division there voted:- for the procedural motion (4) – Councillors Cooke, Delaney, McLellan and Townson; against the procedural motion (5) – the Convener, and Councillors Allan, Bell, Macdonald and Sellar.

There were no declarations of interest intimated.

**The Committee resolved:-**  
to reject the procedural motion.

### MINUTE OF MEETING OF LICENSING SUB COMMITTEE OF 16 JUNE 2020

2. The Committee had before it the minute of meeting of the Licensing Sub Committee of 16 June 2020.

**The Committee resolved:-**  
to note the minute.

### COMMITTEE BUSINESS PLANNER

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

**The Committee resolved:-**

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to note the committee business planner.

**NEW LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - ANDARABAD, NIGG KIRK ROAD**

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

**RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 198 KINCORTH CIRCLE**

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

**RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 96 KINCORTH CIRCLE**

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

**RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - FLAT 4, 25 SOUTH MOUNT STREET**

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

**RENEWAL OF A PRIVATE HIRE CAR DRIVER LICENCE - IAIN SIMPSON**

8. The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the licence holder had not passed the street knowledge test and the application had to be determined by 9 October 2020.

The licence holder was not in attendance, nor represented.

**The Committee resolved:-**

to refuse the licence.

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**RENEWAL OF A TAXI LICENCE (OPERATOR) - ARTHUR MILNE**

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

**RENEWAL OF A PRIVATE HIRE CAR OPERATOR LICENCE - ALI RAHMATH**

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

**RENEWAL OF A PRIVATE HIRE CAR DRIVER LICENCE - IRFAN BASHIR**

11. The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the licence holder had not passed the street knowledge test and the application had to be determined by 21 October 2020.

The licence holder was in attendance and spoke in support of his application.

Sandy Munro, Legal Adviser (1) accepted that the records held by the authority in terms of the number of street knowledge tests that this applicant had undertaken may not be accurate; and (2) assured members that accuracy issues in this regard would be resolved prior to the next meeting of the Committee.

Councillor Townson moved that the licence be granted for three years allowing a further three attempts for the applicant to pass the street knowledge test prior to the renewal date. Councillor Townson did not have a seconder for his motion, therefore in terms of standing order 29.12, the motion fell.

**The Committee resolved:-**

to grant the licence for a period of two years (until January 2022), allowing a further two attempts for the applicant to pass the street knowledge test prior to the renewal date.

**RENEWAL OF A PRIVATE HIRE CAR DRIVER LICENCE - MUJEEB KANNEGAL**

12. The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the licence holder had not passed the street knowledge test and the application had to be determined by 21 October 2020.

The licence holder was not in attendance, nor represented.

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**The Committee resolved:-**

to refuse the licence.

**RENEWAL OF A PRIVATE HIRE CAR DRIVER LICENCE - BHARAT CHHOKAR**

13. The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the licence holder had not passed the street knowledge test and the application had to be determined by 21 October 2020.

The licence holder was in attendance and spoke in support of his application.

Councillor Delaney, seconded by Councillor Allan moved:-  
that the licence be refused.

Councillor Townson, seconded by Councillor Cooke, moved as an amendment:-  
that the licence be granted for a period of two years, allowing a further two attempts for the applicant to pass the street knowledge test prior to the renewal date (January 2022).

On a division, there voted:- for the motion (6) – the Convener and Councillors Allan, Bell, Cooke, Delaney, Henrickson; for the amendment (3) – Councillors Macdonald, Sellar and Townson.

**The Committee resolved:-**

to adopt the motion, therefore, to refuse the licence.

**RENEWAL OF A PRIVATE HIRE CAR DRIVER LICENCE - NATHAN HARBI**

14. The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the licence holder had not passed the street knowledge test and the application had to be determined by 21 October 2020.

The licence holder was not in attendance, nor represented.

**The Committee resolved:-**

to refuse the licence.

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### RENEWAL OF A PRIVATE HIRE CAR DRIVER LICENCE - LAWRENCE MORRISON

15. The Committee had before it an information sheet prepared by the Chief Officer – Governance in respect of the application which advised that the licence holder had not passed the street knowledge test and the application had to be determined by 21 October 2020.

The licence holder was not in attendance, nor represented.

**The Committee resolved:-**  
to refuse the licence.

### VARIATION OF A STREET TRADER LICENCE - JOHN HOWARTH (TANYA'S PIZZA & PIES)

16. The Committee were advised that the application had been withdrawn.

### COMMITTEE ANNUAL EFFECTIVENESS REPORT - COM/20/119

17. The Committee had before it a report by the Chief Officer – Governance which presented annual data relating to the effectiveness of the Licensing Committee.

**The report recommended:-**

that the Committee –

- (a) provide comments and observations on the data contained within the annual report;  
and
- (b) note the annual report of the Licensing Committee.

**The Committee resolved:-**  
to approve the recommendations.

### TAXI FARE REVIEW - COM/20/122

18. With reference to article 6 of the minute of meeting of 18 February 2020, the Committee had before it a report by the Chief Officer – Governance, which provided evidence from the taxi fare tariff calculator that would 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 –

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- (a) approve either Option A or Option B detailed at section 3.4 of the report as the proposed scales to be advertised for the taxi fare review in terms of section 17 of the Civic Government (Scotland) Act 1982;
- (b) 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
- (c) instruct the Chief Officer - Governance to submit a report to the Licensing Committee on 10 November 2020 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 30 November 2020.

### **The Committee resolved:-**

- (i) to approve Option A as detailed at section 3.4 of the report as the proposed scales to be advertised for the taxi fare review in terms of section 17 of the Civic Government (Scotland) Act 1982; and
- (ii) to approve recommendations (b) and (c).

### **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.**

### **NEW APPLICATION FOR LANDLORD REGISTRATION**

**19.** The Committee had before it (1) an information sheet by the Private Sector Housing Manager, which provided details in relation to a new application for Landlord Registration; (2) a letter of representation in support of the application; and (3) a letter of objection from the Deputy Chief Constable designate, Police Scotland, c/o North East Division dated 23 June 2020.

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

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

Sergeant Flett and the applicant both summed up.

### **The Committee resolved:-**

to grant the application.

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**RENEWAL OF A TAXI DRIVER LICENCE**

**20.** 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 13 January 2021; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 27 April 2020.

The licence holder was not in attendance, nor represented.

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

**The Committee resolved:-**

to grant the renewal of the licence.

- **COUNCILLOR JOHN REYNOLDS, Convener**