

## **LICENSING COMMITTEE**

ABERDEEN, 19 February 2025. Minute of Meeting of the LICENSING COMMITTEE. Present:- Councillor Al-Samarai, Convener; Councillor Delaney, Vice-Convener; and Councillors Clark, Graham, Henrickson, Lawrence, MacGregor, McLeod and van Sweeden.

**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.**

### **EXEMPT BUSINESS**

1. The Convener proposed that the Committee consider item 10.1 (Street Trader Licence - Grant) with the press and public excluded from the meeting.

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

in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the above item, so as to avoid disclosure of information of the classes described in paragraph 14 of Schedule 7(A) to the Act.

### **DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS**

2. There were no declarations of interest or transparency statements intimated.

### **DEPUTATION BY THE TAXI TRADE MEMBERS OF THE TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP**

3. The Committee received a deputation from Russell McLeod on behalf of the Taxi Trade members of the Taxi and Private Hire Car Consultation Group (T&PHCCG) relating to agenda item 8.1 (Aberdeen City Taxi and Private Hire Unmet Demand and Overprovision Survey).

Mr McLeod (1) made reference to the Taxi Demand survey undertaken by LVSA which was commissioned by Aberdeen City Council; (2) advised that he was not surprised at all of the outcome of the survey, as the taxi trade worked hard to service tens of thousands of journeys each week getting Aberdonians and the visitors to the city where they needed to be and were confident of this outcome; (3) explained that in the trade's opinion it totally vindicated the historical and ongoing active efforts of the T&PHCCG members and the Committee; (4) advised that changes had been made and continue to do so, including how to become a taxi driver, which ultimately would improve Taxi provision in Aberdeen even further; (5) intimated that the survey must bear weight and be the only thing that should be considered when shaping future policy decisions and not the outside sources "Negative narrative" which had been portrayed in the media; and (6)

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advised that the issues that the trade had back in November/December 2023, were very challenging, but as a trade, took stock, adjusted, then approached and dealt with the festive period in 2024 in a professional manner, where complaints were minimal and they served Aberdeen's public admirably.

Mr McLeod made reference to the survey findings, as follows:-

- only 17% of those who use the City's ranks waited for a taxi to arrive, including peak times;
- the average wait time at a rank was approximately 3 minutes, however if consideration was given to the average wait, including those who did not have to wait, then the average was only 32 seconds;
- that the Aberdeen Tariff rate was 26 out of 32 Scottish councils, highlighting therefore that the public's perception that fares were expensive, was just not true, with the average 2-mile journey in Scotland £6.95, and Aberdeen was £6.60; and
- concluded by intimating that there was no significant unmet demand.

Mr McLeod advised that none of the key stakeholders reported any issues with taxis, noting that they waited a bit longer at peak times, which was the same in any major City.

Mr McLeod indicated that there was still a requirement to recruit drivers, especially those who had a general knowledge of the city and who had at least put in some effort to become a taxi driver, if for no other reason than public safety. He explained that members of the public were generally satisfied with licensed vehicle services and accept that there were limitations with availability at certain times.

Mr McLeod intimated that the taxi trade had been completely bombarded with a negative narrative, from very active business groups that supposedly were there to support Aberdeen business's and he wanted them to work with the trade and not against them. Mr McLeod made reference to the city centre footfall, which reduced whilst works on Central Union Street were ongoing, explaining that the Merchant Quarter was almost inaccessible and the east end of Union Street was virtually a no-go area.

In conclusion, Mr McLeod intimated that all parties need to collaborate and work together for the benefit of the city and its patrons instead of apportioning blame, however he stressed that there was a need to involve taxis in transport discussions.

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

to thank Mr McLeod and the taxi trade members of the T&PHCCG for their deputation and contribution.

## **MINUTE OF PREVIOUS MEETING OF 4 DECEMBER 2024**

4. The Committee had before it the minute of its previous meeting of 4 December 2024, for approval.

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**The Committee resolved:-**

to approve the minute.

### **MINUTE OF MEETING OF THE LICENSING SUB COMMITTEE OF 31 JANUARY 2025**

5. The Committee had before it the minute of meeting of the Licensing Sub Committee of 31 January 2025, for approval.

**The Committee resolved:-**

to approve the minute.

### **COMMITTEE BUSINESS PLANNER**

6. The Committee had before it the Committee Business Planner as prepared by the Interim Chief Officer – Governance.

**The Committee resolved:-**

- (i) to note the reason for deferral in relation to item 6 (Taxi Fleet Composition);
- (ii) to transfer item 5 (Residential Caravan Licensing) to the Communities, Housing and Public Protection Committee Business Planner, for the reason outlined in the Planner;
- (iii) to note that a Service Update will be circulated to members of the Committee relating to the Residential Caravan Licensing report, following its consideration by the Communities, Housing and Public Protection Committee in March 2025; and
- (iv) to otherwise note the Business Planner.

### **ABERDEEN CITY TAXI AND PRIVATE HIRE UNMET DEMAND AND OVERPROVISION SURVEY - CORS/25/046**

7. The Committee had before it a report by the Director of Corporate Services which presented the 2024 Taxi Demand Survey, attached as Appendix 1 and also included a Private Hire Overprovision Assessment and a Review of Taxi Rank provision in Aberdeen.

**The report recommended:-**

that the Committee –

- (a) note the results and recommendations of the Survey;
- (b) agree that there is currently no evidence of significant unmet demand for the services of taxis in Aberdeen and therefore no need to increase the limit on the number of taxi licences;

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- (c) agree that there is no evidence of the overprovision of private hire cars in the locality of the City of Aberdeen and therefore no need to introduce a cap on private hire car licences; and
- (d) instruct the Chief Officer - Governance, to discuss with the Taxi and Private Hire Car Consultation Group, measures which could encourage more of the licensed vehicle fleet to operate during unsocial hours and which would help to address limitations in provision during such hours.

The Committee heard from Iain MacDonald, LVSA, who highlighted the key information from the survey.

**The Committee resolved:-**

to approve the recommendations.

### **SEXUAL ENTERTAINMENT VENUE LICENSING - CORS/25/041**

8. The Committee had before it a report by the Director of Corporate Services which provided information on the position in relation to Sexual Entertainment Venue (SEV) licences and sought to determine whether a formal review process was required.

**The report recommended:-**

that the Committee consider the current policy in relation to Sexual Entertainment Venue licences and determine whether a formal review process was required.

The Committee heard from the Interim Chief Officer – Governance who advised that further information had come to light, therefore he requested that this report be deferred and an updated report be considered at the next meeting of the Committee.

**The Committee resolved:-**

to defer consideration of a report on Sexual Entertainment Venue (SEV) licences until the next meeting of the Committee.

### **SHORT TERM LET (NEW OPERATOR) - 2 WOODCROFT ROAD**

9. The Committee had before it a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that eight letters of representation were submitted to the Private Sector Housing Team. A letter of representation from the applicant had also been submitted.

As a preliminary matter, Mrs Jocelyn Janssen, Private Sector Housing Manager advised that a late letter of objection had been received from Gavin and Aileen Clifford, therefore the Committee required to consider whether it be accepted into the proceedings.

**The Committee resolved:-**

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to accept the late correspondence into the proceedings.

Mrs Janssen advised that the necessary upgrading works had been completed.

The Committee heard from the applicant Uchenna Nnamani, who spoke in support of his application and responded to questions from members.

Joanne Ross, Tamara Howarth, Steven King, Forbes Murray, Henry Bob-Manuel and Aileen Clifford were in attendance and spoke in support of their letters of representation and responded to questions from members.

All parties were given the opportunity to sum up.

The Convener, seconded by Councillor Clark, moved:-

that the Committee refuse the licence on the following grounds:-

Where the licence applied for relates to an activity consisting of or including the use of premises, those premises are not suitable or convenient for the conduct of the activity having regard to –

- (i) the nature and extent of the proposed activity;
- (ii) the possibility of undue public nuisance; and
- (iii) public order or public safety.

Councillor van Sweeden, seconded by Councillor Henrickson, moved as an amendment:-

that the Committee refuse the licence on the grounds that the applicant was not a fit and proper person.

On a division, there voted:- for the motion (6) – the Convener, the Vice Convener and Councillors Clark, Lawrence, MacGregor and McLeod; for the amendment (2) – Councillors Henrickson and van Sweeden.

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

to adopt the motion.

## **SHORT TERM LET (NEW OPERATOR) - 63 BOTHWELL ROAD**

**10.** The Committee had before it a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of representation was submitted to the Private Sector Housing Team.

Mrs Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had still to be completed.

The applicant Allan Cruickshank and his representative Hollie Cowie were in attendance, spoke in support of the application and responded to questions from members.

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Neil Stewart was in attendance, spoke in support of his letter of objection and responded to questions from members.

All parties were given the opportunity to sum up.

**The Committee resolved:-**

to defer consideration of the application until the necessary upgrading works were completed, after which time the Chief Officer - Housing could grant the licence under delegated powers if appropriate.

**LATE HOURS CATERING LICENCE (GRANT) - BURGER KING, CENTREPOINT RETAIL PARK**

11. The Committee had before it an information note prepared by the interim Chief Officer – Governance, which advised (1) that the application had been submitted with a closing time of 05:00, Monday to Sunday, which was out-with Committee policy for Late Hours Catering Licences; and (2) that the application required to be determined by 20 July 2025.

Niall Hassard, the applicant's agent and Venugopal Ganganeni, the Store Manager were in attendance, spoke in support of the application and responded to questions from members.

**The Committee resolved:-**

to grant the licence.

**STREET TRADER LICENCE (GRANT) - EMMA WILLIAMSON**

12. With reference to article 10 of the minute of meeting of 9 October 2024, the Committee had before it an information note prepared by the interim Chief Officer – Governance, which (1) sought approval of an application for the grant of a Street Trader Licence to sell hot food, as well as hot and cold drinks at Golf Road East Side, 114m South from Pittodrie Street in Car Park; and (2) advised that the application required to be determined by 15 April 2025.

The licence holder, Emma Williamson was in attendance, spoke in support of her application and responded to questions from members.

Ms Deborah Wyllie, Lead Officer Estates, Aberdeen City Council was in attendance and responded to questions from members.

**The Committee resolved:-**

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- (i) to grant the licence with an additional condition stating that the applicant must remove from the site within 28 days, if given notice to do so by the Estates Team (Aberdeen City Council); and
- (ii) to waive the application fee, for one further application, should the applicant apply for another site location.

### **REQUEST FOR EXEMPTION FROM POLICY - STREET KNOWLEDGE TEST - KASHIF IFTIKHAR**

13. The Committee had before it an information note prepared by the Interim Chief Officer – Governance, which advised that the applicant was seeking an exemption from undertaking the Street Knowledge Test.

The applicant was not in attendance, nor represented.

**The Committee resolved:-**

to refuse the request for exemption from undertaking the Street Knowledge Test.

**In accordance with the decision taken at Article 1 of this minute, the following item was considered with the press and public excluded.**

### **STREET TRADER LICENCE (GRANT)**

14. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance, which advised that the application required to be determined by 30 July 2025; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division dated 11 November 2024.

Sergeant Neil Grant, spoke in support of Police Scotland's letter of objection and responded to questions from members.

The applicant was in attendance, spoke in support of his application and responded to questions from members of the Committee.

Both parties were given the opportunity to sum up.

The Convener, seconded by Councillor Clark, moved:-

that the Committee refuse the licence on the grounds that the applicant was not a fit and proper person to hold the licence.

Councillor van Sweeden, seconded by the Vice Convener, moved as an amendment:-

that the Committee grant the licence.

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On a division, there voted:- for the motion (3) – the Convener and Councillors Clark and MacGregor; for the amendment (6) – the Vice Convener and Councillors Graham, Henrickson, Lawrence, McLeod and van Sweeden.

**The Committee resolved:-**

to adopt the amendment.

### **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.**

### **LANDLORD REGISTRATION - RENEWAL (AGENDA ITEM 11.1)**

**15.** The Committee were advised that Police Scotland had withdrawn their letter of objection, therefore noting that the Chief Officer - Housing could grant the registration under delegated powers if deemed appropriate.

### **LANDLORD REGISTRATION - NEW (AGENDA ITEM 11.2)**

**16.** The Committee had before it (1) a report by the Private Sector Housing Manager; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division, dated 22 October 2024.

The applicant was in attendance, and spoke in support of his application and responded to questions from members.

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

Both parties were given the opportunity to sum up.

Councillor van Sweeden, seconded by Councillor McLeod, moved:-  
that the Committee grant the registration.

The Vice Convener, seconded by Councillor Clark, moved as an amendment:-  
that the Committee refuse the registration on the grounds that the applicant was not a fit and proper person.

On a division, there voted:- for the motion (3) – Councillors Graham, McLeod and van Sweeden; for the amendment (6) – the Convener, the Vice Convener and Councillors Clark, Henrickson, Lawrence and MacGregor.



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**The Committee resolved:-**

to adopt the amendment.

**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.3)**

17. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

**The Committee resolved:-**

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.4)**

18. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

**The Committee resolved:-**

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

**At this juncture, the Vice Chairperson took the chair for the following item due to the Convener having to leave the meeting to attend to an urgent matter.**

**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.5)**

19. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an

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exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

**The Committee resolved:-**

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.6)**

20. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was not in attendance, nor represented.

**The Committee resolved:-**

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.7)**

21. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

**The Committee resolved:-**

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.8)**

22. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

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The licence holder was in attendance and spoke in support of the request and responded to questions from members.

**The Committee resolved:-**

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

**At this juncture, the Vice Chairperson took the chair for the following item due to the Convener having to leave the meeting to attend to an urgent matter.**

**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.9)**

**23.** The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder and her trade union representative, Mr Peter Campbell were in attendance and spoke in support of the request and responded to questions from members.

**The Committee resolved:-**

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.10)**

**24.** The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

**The Committee resolved:-**

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

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**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.11)**

25. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

**The Committee resolved:-**

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

**REQUEST FOR EXEMPTION FROM POLICY - WHEELCHAIR ACCESSIBLE VEHICLE (AGENDA ITEM 11.12)**

26. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; and (2) correspondence relating to the exemption request.

The licence holder was in attendance and spoke in support of the request and responded to questions from members.

**The Committee resolved:-**

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

- **COUNCILLOR GILL AL-SAMARAI, Convener.**