

ABERDEENSHIRE COUNCIL
BUSINESS SERVICES COMMITTEE
LICENSING SUB-COMMITTEE

WOODHILL HOUSE, ABERDEEN, 26 OCTOBER, 2018

- Present:** Councillors F C P Hood (Chair), C C Buchan (as substitute for Councillor A G Robertson), R E Bruce, M J M Ewenson (as substitute for Councillor E A Stirling), A C Forsyth, V Harper (as substitute for Councillor A E M Evison) and D-P L G Lonchay.
- Apologies:** Councillor A E M Evison, D G Robertson, M J Roy and E A Stirling
- Officers:** Senior Committee Officer (N David), Legal & Governance, and Senior Solicitor (F Stewart), Legal and Governance.
- In attendance:** Sergeant K Wood (Police Scotland).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare, in terms of the Councillors' Code of Conduct. No interests were declared.

2A. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an equality impact assessment has been provided, its contents and to take those into consideration when reaching a decision.

2B. EXEMPT INFORMATION

The Sub-Committee **agreed**, in terms of Section 50A (2) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of Items 3 and 4 below on account of the likely disclosure of confidential information in breach of the obligation of confidence.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – SCHEDULE 1, PARAGRAPH 12
– REQUEST FOR THE TEMPORARY SUSPENSION OF TAXI DRIVER’S LICENCE
(CASE NO. 956)**

There had been circulated a report dated 18 October, 2018, by the Director of Business Services, which (1) requested that consideration be given to a complaint, submitted by the Chief Constable, seeking the temporary suspension of a taxi driver’s licence, and (2) detailed information relevant to the licence.

The Sub-Committee, having heard from the Chief Constable’s representative, **agreed**, unanimously, that the complaint was justified.

The Sub-Committee **agreed**, unanimously, that the activity to which the licence related was likely to cause a serious threat to public order or public safety.

Thereafter, the Sub-Committee **agreed**, unanimously, that the licence be temporarily suspended.

The Sub-Committee, having determined that the licence be temporarily suspended, **agreed**, unanimously, that the licence be suspended until the next scheduled meeting of the Sub-Committee on 7 December, 2018.

**4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – SCHEDULE 1, PARAGRAPH 12
– REQUEST FOR THE TEMPORARY SUSPENSION OF TAXI DRIVER’S LICENCE
(CASE NO. 957)**

There had been circulated a report dated 22 October, 2018, by the Director of Business Services, which (1) requested that consideration be given to a complaint, submitted by the Chief Constable, seeking the temporary suspension of a taxi driver’s licence, and (2) detailed information relevant to the licence.

The Sub-Committee, having heard from the Chief Constable’s representative, **agreed**, unanimously, that the complaint was justified.

The Sub-Committee **agreed**, unanimously, that the activity to which the licence related was likely to cause a serious threat to public order or public safety.

Thereafter, the Sub-Committee **agreed**, unanimously, that the licence be temporarily suspended.

The Sub-Committee, having determined that the licence be temporarily suspended, **agreed**, unanimously, that the licence be suspended until the next scheduled meeting of the Sub-Committee on 7 December, 2018.