

ABERDEENSHIRE COUNCIL
BUSINESS SERVICES COMMITTEE
LICENSING SUB-COMMITTEE

GORDON HOUSE, INVERURIE, 15 JUNE, 2018

- Present:** Councillors F C P Hood (Chair), C C Buchan (as substitute for Councillor A E M Evison), R E Bruce, A C Forsyth, D-P L G Lonchay, D G Robertson, M J Roy and E A Stirling.
- Apologies:** Councillor A E M Evison.
- Officers:** Committee Officer (A Ziarkowska), Legal & Governance, and Solicitor (I Meredith), Legal and Governance.
- In attendance:** Sergeant Kim 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.

Councillor Roy declared an interest in respect of Item 8, by virtue of the fact that the applicant was a constituent of his and of whose business he was aware. However, having applied the objective test, he concluded the interest was not clear and substantial, and he would remain and participate in the item.

Thereafter, Councillor Buchan declared an interest in respect of Item 9, by virtue of the fact that the applicant was a constituent of his and of whose business he was aware. However, having applied the objective test, he concluded the interest was not clear and substantial, and he would remain and participate in the item.

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 the Items 4 – 9 below on account of the likely disclosure of confidential information in breach of the obligation of confidence.

3. MINUTE OF MEETING OF THE LICENSING SUB-COMMITTEE OF 20 APRIL, 2018

There had been circulated and was **approved** as a correct record, the Minute of Meeting of the Licensing Sub-Committee of 20 April, 2018.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATION FOR THE GRANT OF TAXI DRIVER'S LICENCE (CASE NO. 945)

There had been circulated a report dated 29 May, 2018, by the Director of Business Services, which (1) requested that consideration be given to an application for the grant of a taxi driver's licence (identified as Case No. 945), in respect of which the Chief Constable had made observations and (2) detailed information relevant to the application.

Thereafter, the Sub-Committee **agreed** unanimously that consideration of the application be deferred to the next meeting to allow time for further information to be provided on the progression of suggested criminal proceedings against the applicant.

5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATION FOR THE GRANT OF TAXI DRIVER'S LICENCE (CASE NO. 946)

There had been circulated a report dated 28 May, 2018, by the Director of Business Services, which (1) requested that consideration be given to an application for the grant of a taxi driver's licence (identified as Case No. 946), in respect of which the Chief Constable had lodged an objection and (2) detailed information relevant to the application.

Having heard from the applicant, and the Chief Constable's representative, the Sub-Committee **agreed** to refuse the application for a taxi driver's licence on the basis that the applicant, on the evidence produced by Police Scotland, was not a fit and proper person to hold a licence by reason of his conduct and recent allegations.

6. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATION FOR THE GRANT OF TAXI DRIVER'S LICENCE (CASE NO. 947)

There had been circulated a report dated 21 May, 2018 by the Director of Business Services, which (1) requested that consideration be given to an application for a taxi driver's licence, (identified as Case No. 947), and (2) detailed information relevant to the application.

Having heard from the applicant, it was confirmed that residency could only be determined for the period to 22 December, 2018 which was less than the standard licence period.

The Sub-Committee unanimously **agreed** to grant the application for a taxi driver's licence for the period to 22 December, 2018.

7. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – REQUEST FOR THE RENEWAL OF TAXI DRIVER’S LICENCE (CASE NO. 948)

There had been circulated a report dated 24 May, 2018 by the Director of Business Services, which (1) requested that consideration be given to an application for the renewal of at Taxi Driver’s Licence, (identified as Case No. 948), in respect of which the Chief Constable had made representation, and (2) detailed information relevant to the application.

Having heard from the applicant, and the Chief Constable’s representative, the Sub-Committee unanimously **agreed** that the licence be granted for a period of one year.

8. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – REQUEST FOR THE RENEWAL OF TAXI DRIVER’S LICENCE (CASE NO. 949)

There had been circulated a report dated 28 May, 2018 by the Director of Business Services, which (1) requested that consideration be given to an application for the renewal of at Taxi Driver’s Licence, (identified as Case No. 949), in respect of which the Chief Constable had made representation, and (2) detailed information relevant to the application.

Having heard from the applicant’s agent, and the Chief Constable’s representative, the Sub-Committee unanimously **agreed** that the licence be granted for a period of three years.

9. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – REQUEST FOR THE RENEWAL OF TAXI VEHICLE LICENCE (CASE NO. 950)

There had been circulated a report dated 30 April, 2018 by the Director of Business Services, which (1) requested that consideration be given to an application for the renewal of at Taxi Vehicle Licence, (identified as Case No. 950, and (2) detailed information relevant to the application.

Having heard from the applicant, the Sub-Committee unanimously **agreed** that the licence be granted for a period of one year.

