

Notice of meeting and agenda

Licensing Sub-Committee

11.00am, Monday, 13th December, 2021

Virtual Meeting - via Microsoft Teams

The law allows the Council to consider some issues in private. Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.

Contacts

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1. Order of Business

- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of Interests

- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Minutes

- 3.1 Minute of Licensing Sub-Committee of 8 October 2021 – 5 - 6
submitted for approval as a correct record

4. New Taxi Licence

- 4.1 Application for New Taxi Licence - TBC Edinburgh Taxi Ltd – 7 - 16
Report by the Regulatory Services Manager

5. Resolution to Consider in Private

- 5.1 The Sub-Committee is requested under Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting for the following items of business on the grounds that they would involve the disclosure of exempt information as defined in Paragraphs 3, 6, 12 and 14 of Part 1 of Schedule 7A of the Act.

6. Suspension/Revocation Requests

- 6.1 Request for Suspension or Revocation of Private Hire Driver Licence – Report by the Regulatory Services Manager 17 - 24
- 6.2 Request for Suspension or Revocation of Private Hire Driver Licence – Report by the Regulatory Services Manager 25 - 38
- 6.3 Request for Suspension or Revocation of Private Hire Driver Licence – Report by the Regulatory Services Manager 39 - 46

7. Exemption Requests

7.1	Applications to Vary the Conditions of Taxi or Private Hire Car Licences - Exemptions from Policy – Report by the Regulatory Services Manager	47 - 54
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8. Civic Government (Scotland) Act 1982 - To consider miscellaneous applications

8.1	Civic Government (Scotland) Act 1982 - to consider miscellaneous applications - list of applications	55 - 56
8.2	Private Hire Driver Licence (Renewal) - Adeel Maqbool Khan – Report by	57 - 74
8.3	Private Hire Vehicle Licence (Renewal) - Adeel Maqbool Khan – Report by	75 - 92

Nick Smith

Service Director – Legal and Assurance

Committee Members

Councillor Catherine Fullerton (Convener), Councillor Denis Dixon (Vice-Convener), Councillor Scott Arthur, Councillor Max Mitchell, Councillor Joanna Mowat, Councillor Susan Rae, Councillor Cameron Rose, Councillor Neil Ross and Councillor Donald Wilson.

Information about the Licensing Sub-Committee

The Licensing Sub-Committee consists of 9 Councillors and usually meets twice a month.

This meeting of the Licensing Sub-Committee is being held virtually by Microsoft Teams.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Lesley Birrell or Taylor Ward, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, email lesley.birrell@edinburgh.gov.uk / taylor.ward@edinburgh.gov.uk.

The above items are not for publication as they fall within the description of exempt information and, consequently, are likely to be considered in private.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to the Council's online [Committee Library](#)..

Minutes

Licensing Sub-Committee of the Regulatory Committee

11.00am, Friday 8 October 2021

Present

Councillors Fullerton (Convener), Dixon (Vice-Convener), Rae, Rose and Neil Ross.

1. Application for Renewal of a House in Multiple Occupation Licence – Mr Kamran Akbar – 13 Harrison Road, Edinburgh

The Licensing Sub-Committee, on 21 September 2021, had continued consideration of an application for renewal of a House in Multiple Occupation Licence for premises at 13 Harrison Road to allow relevant Council officers to visit the premises and report their findings back to members and to ensure that all information received from public objectors was circulated and intimated to the applicant.

The relevant Council officers, Fire and Rescue Officers, the applicant's agent and objectors were heard.

Motion

To refuse the licence for the following reasons:

- 1) in terms of Section 130 (1)(b) and (2)(a) of the Housing (Scotland) Act 2006 as the applicant was not a fit and proper person to be authorised to permit persons to occupy any living accommodation as an HMO; and
- 2) in terms of Section 131 (1)(a) and (2)(f) of the Housing (Scotland) Act 2006 as the premises were not suitable for occupation as an HMO and that there was the possibility of undue public nuisance.

- moved by Councillor Rose, seconded by Councillor Rae

Amendment

To grant renewal of the House in Multiple Occupation Licence for a period of one year only subject to the standard conditions for this type of licence and the additional condition that the premises continued to be monitored to ensure that the required standards were being met and maintained.

- moved by Councillor Fullerton, seconded by Councillor Dixon

Voting

For the motion	-	3 votes
For the amendment	-	2 votes

(For the motion – Councillors Rae, Rose and Neil Ross.
For the amendment – Councillors Dixon and Fullerton.)

Decision

To approve the motion by Councillor Rose.

(References – Licensing Sub-Committee 21 September 2021 (appendix 1, item 4.10); report by the Regulatory Services Manager, submitted)

Licensing Sub-Committee of the Regulatory Committee

11.00am, Monday, 13 December 2021

Application for New Taxi Licence – TBC Edinburgh Taxi Ltd

Item number	
Report number	
Executive/routine	
Wards	All
Council Commitments	N/A

Executive Summary

An application for a new Taxi Licence has been received from TBC Edinburgh Taxi Ltd. Should the committee decide to grant the licence, it would bring the total number of Taxi Licences in effect to 1,314.

Andrew Mitchell

Regulatory Services Manager

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Application for New Taxi Licence – TBC Edinburgh Taxi Ltd

1. Recommendations

- 1.1 After hearing from Council officers and the applicant, the committee is asked to:
- 1.1.1 note from the previous Regulatory Committee decision on 16 March 2018 and the Interim Demand Survey considered by the Regulatory Committee on 21 October 2019 that there is presently no significant unmet demand for taxis in the city;
 - 1.1.2 note that on 7 January 2019 the Regulatory Committee agreed to leave unaltered the current limit of issued taxi licences at 1,316;
 - 1.1.3 note that there are currently 1,313 licences in effect and agree to grant the licence subject to a compliant vehicle being presented at the Taxi Examination Centre and passed as suitable for use as a taxi; and

2. Background

- 2.1 The Council has a policy of limiting the number of Taxi Licences issued within the city, utilising the powers available to it under Section 10 (3) of the Civic Government (Scotland) Act 1982. This power can only be used if the Council is satisfied that there is no unmet 'significant demand' for taxis. The Council is required to keep this position under regular review.
- 2.2 This application is for the issue of one new Taxi Licence.
- 2.3 The Council's agreed taxi limitation policy applies, and that number remains at 1,316. There are currently 1,313 taxi licences issued and in effect.

3. Main report

Vehicle Limitation

- 3.1 In order to establish the current level of demand for taxis within the city, regular surveys are carried out to determine whether there is any significant unmet demand. The last full demand survey was carried out by CH2M and was reported to the Regulatory Committee in March 2018. This survey concluded that there was no significant unmet demand.

- 3.2 Additional surveys were commissioned from Vector Consultancy. The most recent of these was completed in July 2019 and was reported to the Regulatory Committee on 21 October 2019. The committee agreed that there was no significant unmet demand.
- 3.3 The Regulatory Committee has previously resolved to limit the number of taxis at 1,316. There are currently 1,313 taxi licences issued and in effect. Members should note that grant of this application would increase the number of licensed taxis to 1,314.

4. Measures of success

- 4.1 Not relevant, as decisions on individual licences have to be considered on their own merits.

5. Financial impact

- 5.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2018. The committee should note that the Licensing Refunds Policy will apply in this case, should the application be unsuccessful or be withdrawn.

6. Risk, policy, compliance and governance impact

- 6.1 The process outlined takes account of the relevant statutory provisions.
- 6.2 The applicant has a right of appeal against any decision made. The appeal lies to the Sheriff Court.

7. Equalities impact

- 7.1 There is no equalities impact arising from the contents of this report.

8. Sustainability impact

- 8.1 Any increase in the taxi fleet by increasing the number of licences issued may have an impact on the environment within the city, potentially including levels of pollution.

9. Consultation and engagement

- 9.1 None.

10. Background reading/external references

- 10.1 [Consultation Conclusion: Demand for Taxis within the City of Edinburgh](#) report to Regulatory Committee on 16 March 2018

11. Appendices

- 11.1 Appendix 1 - Application for new Taxi Licence
- 11.2 Appendix 2 – Confirmation of Incorporation

by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A
of the Local Government(Scotland) Act 1973.

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