

Council Chamber, Fife House, Glenrothes  
Tuesday, 15th February, 2022 - 9.30 a.m.

AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE.**
2. **DECLARATIONS OF INTEREST.**
3. **MINUTE** - Minute of Meeting of the Regulation and Licensing Committee of 14th December, 2021. 5 - 7

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

4. **SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE** - To report to the Committee that a decision was taken by the Executive Director, Finance and Corporate Services using the powers given to her under Section 2 of the Council's List of Officer Powers 'Emergencies and Cases of Urgency' in consultation with the Convener and Vice-Convener of the Committee, to suspend a taxi driver's licence with immediate effect under paragraph 12 of Schedule 1 to the above Act. This decision was taken as information had been received from Police Scotland (Fife Division) and had to be considered prior to this meeting of the Committee.
5. **APPLICATIONS IN RESPECT OF WHICH COMMENTS HAVE BEEN MADE** – Consideration of applications for licences by the undernoted in respect of which comment has been made, and, in terms of Schedule 1 to the above Act, to hear the applicants, or their representatives, in support of the applications:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
(i)	Mr. Ahmad Alghazawi	Taxi Driver <b>(new application)</b>	1 year
(ii)	Mr. Michael Berturelli	Taxi Driver <b>(renewal)</b>	1 year
(iii)	Mr. Michael Beveridge	Taxi Driver <b>(new application)</b>	1 year
(iv)			

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
(D)	(iv) Mr. Madhav Chhetri	Taxi Driver <b>(new application)</b>	1 year
(D)	(v) Mr. Muhammad Din Bibi	Taxi Driver <b>(new application)</b>	3 year
(D)	(vi) Mr. Lee Gilmour	Taxi Driver <b>(new application)</b>	1 year
	(vii) Miss Laura Harkins	Taxi Driver <b>(new application)</b>	1 year
	(viii) Mr. Aidan Niven	Taxi Driver <b>(new application)</b>	1 year
	(ix) Mr. Sean Penman	Taxi Driver <b>(new application)</b>	1 year
	(x) Mr. Jamie Scott	Taxi Driver <b>(new application)</b>	1 year
	(xi) Mr. Mark Stewart	Taxi Driver <b>(renewal)</b>	3 year
	(xii) Mr. Iain Watt	Taxi Driver <b>(new application)</b>	1 year

**N.B. The applicants and those making representation have been invited to attend and be represented at the meeting.**

**(D) Deferral - Consideration of the applications at (iv), (v) and (vi) above is continued from the meeting held on 23rd November, 2021.**

**6. CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCES** - The Committee is asked to consider exercising power of suspension under paragraph 11 of Schedule 1 to the above Act in respect of the undernoted licences, and, in terms of sub-paragraph (7) of said paragraph 11 to afford the licenceholders an opportunity to be heard. The Council's Civic Government Licensing Enforcement Officer will report on the matter at (i) below and the representative for Police Scotland (Fife Division) will report on the matter at (ii) below.

	<u>Licenceholder</u>	<u>Type, No. of Licence &amp; Expiry Date</u>
(i)	Mr. Brian Gunn	Taxi Driver 2461/0043158 Expiry Date: 7 March 2022
(ii)	Mr. Ewan MacDonald	Taxi Driver 1683/0044120 Expiry Date: 6 September 2022

THE FOLLOWING APPLICATIONS ARE LIKELY TO BE CONSIDERED IN PRIVATE – IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.

7. **REQUEST FOR RECALL OF IMMEDIATE SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE** – With reference to paragraph 408 of 2021.R.L.393 and 394, the Committee is asked to consider a request from the undernoted to recall the immediate suspension of his taxi/private hire car driver's licence which was made under paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982. The Council's Lead Officer, Miscellaneous Licensing will report.

<u>Applicant</u>	<u>No. of Previous Licence and Length of Suspension</u>
Mr. Imran Hanif	2496/0043412 - suspended for a period of 1 year until 2nd November 2022

**N.B. The applicant has been invited to attend and be represented at the meeting.**

8. **CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCE** - The Committee is asked to consider exercising power of suspension under paragraph 11 of Schedule 1 to the above Act in respect of the undernoted licence, and, in terms of sub-paragraph (7) of said paragraph 11 to afford the licenceholder an opportunity to be heard. The representative for Police Scotland (Fife Division) will report.

<u>Licenceholder</u>	<u>Type, No. of Licence &amp; Expiry Date</u>
Mr. Michael Burt	Taxi Driver 8455/0043027 Expiry Date: 5 March 2022

9. **APPLICATIONS IN RESPECT OF WHICH COMMENTS HAVE BEEN MADE** - Consideration of applications for licences by the undernoted in respect of which comment has been made, and, in terms of Schedule 1 to the Civic Government (Scotland) Act 1982, to hear the applicants or their representatives in support of the applications:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
	(i) Mr. Muhammad Ayaz	Taxi Driver <b>(new application)</b>	1 year
	(ii) Mr. Derek Bruley	Taxi Driver <b>(renewal)</b>	1 year
<b>(D)</b>	(iii) Mr. Edward Dunn	Taxi Driver <b>(new application)</b>	1 year
	(iv) Miss Samantha McQueen-White	Taxi Driver <b>(renewal)</b>	3 year
	(v) Mr. Alexander Moir	Taxi Driver <b>(new application)</b>	1 year
<b>(D)</b>	(vi) Mr. Ryan Nellies	Taxi Driver <b>(new application)</b>	1 year

**N.B./**

**N.B. The applicants and those making representation have been invited to attend and be represented at the meeting.**

**(D) Deferral - Consideration of the applications at (iii) and (vi) above is continued from the meeting held on 23rd November, 2021.**

**10. OPPOSED APPLICATIONS** - Consideration of applications for licences by the undernoted in respect of which police objections have been lodged, and, in terms of Schedule 1, paragraph 4(2) to the Civic Government (Scotland) Act 1982, to hear the objector and the applicants thereon:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
(i)	Mr. Paul Davies	Taxi Driver <b>(new application)</b>	1 year
(ii)	Mr. Thomas Kerr	Taxi Driver <b>(temporary application)</b>	6 weeks
(iii)	Mr. William McHale	Taxi Driver <b>(temporary application)</b>	6 weeks
(iv)	Mr. Jordan Slaven	Taxi Driver <b>(new application)</b>	1 year

**N.B. The applicants and objector have been invited to attend and be represented at the meeting.**

**11. URGENT BUSINESS** - Any other items which the Convener decides are urgent.

Eileen Rowand,  
Executive Director,  
Finance and Corporate Services,  
Fife House,  
North Street,  
Glenrothes,  
Fife, KY7 5LT

9th February, 2022

If telephoning please ask for:-

Gillian Love, Lead Officer, Miscellaneous Licensing, Fife House, Glenrothes

Telephone: 03451 555555; Ext. 442170 or E-mail - [gillian.love@fife.gov.uk](mailto:gillian.love@fife.gov.uk)

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**THE FIFE COUNCIL - REGULATION AND LICENSING COMMITTEE - GLENROTHES**

**14th December, 2021**

**9.30 a.m. – 11.55 a.m.**

**PRESENT:** Councillors Ryan Smart (Convener), John Docherty, Zoe Hisbent, Gordon Langlands, Lea McLelland, David MacDiarmid, Graham Ritchie and David J Ross.

**ATTENDING:** Kimberley Langley, Solicitor, Gillian Love, Lead Officer, Miscellaneous Licensing and Craig Ritchie, Licensing Enforcement Officer all in Finance and Corporate Services; Sergeant Neil Ewing, Police Scotland (Fife Division); and Tom Henderson, Service Manager, Fleet Operations (for item 413 only).

**APOLOGIES:** Councillors Carol Lindsay, Alistair Cameron, Bill Connor, Gavin Ellis, David Graham, Garry Haldane and Jane Ann Liston.

**411. MINUTE**

The Committee considered the Minute of Meeting of the Regulation and Licensing Committee of 23rd November, 2021.

**Decision**

The Committee approved the Minute.

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

**412. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE**

The Council's Lead Officer, Miscellaneous Licensing reported to the Committee that a decision was taken by the Executive Director, Finance & Corporate Services using the powers given to her under Section 2 of the Council's List of Officer Powers 'Emergencies and Cases of Urgency' to suspend a taxi/private hire car driver's licence with immediate effect under paragraph 12 of Schedule 1 to the Civic Government (Scotland) Act 1982 having advised the Convener and Vice-Convener of the Committee of this decision. The decision was taken as information had been received which had to be considered prior to this meeting of the Committee.

**Decision**

The Committee noted that a taxi/private hire car driver's licence had been suspended with immediate effect.

413./

413. **TAXI AND PRIVATE HIRE CAR INSPECTION TESTS – GLENROTHES ZONE**

The Committee considered a report by Service Manager, Fleet Operations on taxi and private hire car inspection tests carried out on vehicles in the Glenrothes Zone between October and November, 2021.

**Decision**

The Committee, having heard the Service Manager, Fleet Operations on the report and, following discussion, congratulated those operators whose vehicles passed the test first time and otherwise noted the report.

414. **EXCLUSION OF PUBLIC AND PRESS**

The Committee resolved, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the public and press from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 7A to the Act.

415. **APPLICATION IN RESPECT OF WHICH POLICE COMMENTS HAD BEEN MADE**

The Committee considered application for licence by the undernoted and, having heard the representative for Police Scotland (Fife Division) and the applicant thereon, dealt with the application as shown:-

<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
Mr. William Maguire	Taxi Driver (temporary application) 6 weeks

**Decision**

The Committee agreed to grant the licence.

The applicant had been invited to attend and be represented at the meeting. He was present and heard.

416./

416. **CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCE**

The Committee considered exercising its power of suspension under paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 in respect of the undernoted licence, and, having heard the representative for Police Scotland (Fife Division) and the licenceholder thereon, dealt with the licence as shown:-

<u>Licenceholder</u>	<u>Type, No. of Licence &amp; Expiry Date</u>
Mr. Sirfraz Mohammed	Taxi Driver 8853/0040981 Expiry Date:10 December 2022

**Decision**

The Committee agreed to suspend the licence.

The Committee thereafter took a decision on the length of the suspension as follows:-

The Committee agreed to suspend the licence until its expiry date of 10th December, 2022, this being with immediate effect.

The licenceholder had been invited to attend and be represented. He was present and heard.

The grounds for suspension of the above licence were that (i) the licenceholder was no longer considered to be a fit and proper person to hold the licence; and (ii) the carrying on of the activity to which the licence related was likely to cause a threat to public safety.

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