

**Conference Room 2, Ground Floor, Fife House, Glenrothes
Tuesday, 12th August, 2025 - 9.30 a.m.**

AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE.**
2. **DECLARATIONS OF INTEREST** - Members of the Committee are asked to declare any interest(s) in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTES** - Minutes of Meetings of the Regulation and Licensing Committee of 3rd June and 23rd July, 2025. 4 - 14

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

4. **APPEALS TO SHERIFF – TAXI/PRIVATE HIRE CAR DRIVER, TAXI OPERATOR AND PRIVATE HIRE OPERATOR LICENCES** – With reference to paragraphs 209 and 210 of 2025.R.L.164, 165 and 166 to advise the Committee that appeals have been lodged with the Sheriff by:
 - (i) Sadeq Alsafar against the decisions on 3rd June, 2025 to refuse his application for renewal of his taxi operator's licence and suspend his taxi/private hire car driver's licence.
5. **TAXI FARE SCALE REVIEW** - Report by Executive Director, Finance and Corporate Services. 15 - 17
6. **APPLICATIONS IN RESPECT OF WHICH POLICE COMMENTS HAVE BEEN MADE**
Consideration of applications for licences by the undernoted in respect of which police comments have 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) Matthew John	Taxi Driver (new application)	1 year
(ii) Stephen Kerr	Taxi Driver (new application)	1 year
(iii) Moses Nwosu	Taxi Driver (new application)	1 year

(iv)	Ali Raza	Taxi Driver (new application)	1 year
(v)	Kyle Taylor	Taxi Driver (new application)	1 year
(vi)	Trevor Torrance	Taxi Driver (new application)	1 year

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

- 7. OPPOSED APPLICATION** - Consideration of applications for licence by the undernoted in respect of which police objections have been made, and, in terms of Schedule 1, paragraph 4(2), to the above Act, to hear the objector and the applicant thereon:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
(D)	Bea Burgyan	Taxi Driver (new application)	1 year

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

- (D) **Deferral** - Consideration of the above application is continued from the meeting held on 3rd June 2025.

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

- 8. APPLICATIONS IN RESPECT OF WHICH POLICE COMMENTS HAVE BEEN MADE** - Consideration of applications for licences by the undernoted in respect of which police comments have 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>
(D) (i)	Michael Berturelli	Taxi Driver (new application)	1 year
(ii)	Angela Lackie	Taxi Driver (new application)	1 year
(iii)	David Martin	Taxi Driver (renewal)	1 year
(iv)	Parvinder Singh	Taxi Driver (new application)	3 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 application at (i) above is continued from the meeting held on 3rd June 2025.

9. **OPPOSED APPLICATION** - Consideration of application for licences by the undernoted in respect of which police objections have been made, and, in terms of Schedule 1, paragraph 4(2) to the Civic Government (Scotland) Act 1982, to hear the objector and the applicant thereon:

<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
Kenneth Crawford	Vehicle Operator (renewal)	1 year

10. **URGENT BUSINESS** - Any other items which the Chair decides are urgent.

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

5 August 2025

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Agendas and papers for all Committee meetings can be accessed on www.fife.gov.uk

THE FIFE COUNCIL – REGULATION AND LICENSING COMMITTEE - GLENROTHES

3 June 2025

9.50 a.m. – 4.05 p.m.

PRESENT: Councillors Tom Adams (Convener), Lynn Ballantyne-Wardlaw, Patrick Browne, Alistair Cameron, Eugene Clarke, Louise Kennedy-Dalby, Gavin Ellis, Carol Lindsay, Donald Lothian, David MacDiarmid, John O'Brien, Nicola Patrick, Gordon Pryde and Jonny Tepp.

ATTENDING: Kimberley Langley, Solicitor, Gillian Love, Lead Officer, Miscellaneous Licensing, Helena Couperwhite, Service Manager, Committee Services and Craig Ritchie, Civic Government Licensing Enforcement Officer, Finance and Corporate Services; Sergeant Neil Ewing, Police Scotland (Fife Division); Steven Duffy, Workshop Manager and Billy Ferguson, Service Manager, Fleet Services (Item 202 only).

APOLOGIES: Councillor Darren Watt.

200. MINUTE

The committee considered the minute of meeting of the Regulation and Licensing Committee of 6 May 2025.

Decision

The committee approved the Minute.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

201. CIVIC GOVERNMENT LICENSING ENFORCEMENT OFFICER'S REPORT

The committee considered a report by the Executive Director, Finance and Corporate Services on the activities of the Civic Government Licensing Enforcement Officer from January to April 2025.

Decision

The committee noted:-

- (1) the extensive and varied amount of work carried out by the Enforcement Officer during the period identified; and
- (2) that there would be further updates, on the activities of the Enforcement Officer, brought before the Committee on a regular basis.

202. TAXI AND PRIVATE HIRE CAR INSPECTION TESTS FAILURES – EAST AND WEST FIFE AREAS AND LEVENMOUTH ZONE

The committee considered a report by the Service Manager – Fleet Services which provided details on what measures could be implemented for those failing the annual inspection tests.

Decision

The committee agreed that the following measures should be implemented for those operators whose vehicles failed the annual inspection tests this time around (specifically in relation to East and West Fife Areas and the Levenmouth Zone) and that these measures be taken against those operators whose vehicles fail any future inspection tests:-

- (1) All operators failing the test be called to a meeting with relevant Councillors and officers to discuss failure rates in all three areas as well as the measures to be taken against them;
- (2) All taxi and private hire operators licensed in Fife will be advised that they will have to complete and sign a declaration prior to their annual inspection tests confirming they have checked all items that are listed on the inspection test sheets issued by Fleet Services. If the declaration is not completed and returned prior to their annual test, their test will be cancelled and the operator will be instructed to return the licence plates to the appropriate garage until the declaration has been received by the garages and the vehicle has passed the annual inspection test;
- (3) Any operators with vehicles failing the annual test in future may have to wait for a re-test for their vehicle;
- (4) All vehicles failing the annual inspection test will have to undertake and pass an additional MOT test 6 months after the annual inspection test. The cost of the additional MOT test will be at the operator's expense. The details of the additional MOT certificate belonging to the vehicle that failed the annual inspection must be provided to the appropriate test centre within one week of its new MOT test. Failure to do so will result in the operator being instructed to return the licence plates to the test centre until the additional MOT certificate is received;
- (5) Spot checks would continue to be carried out on a regular basis throughout Fife; and
- (6) Any operator failing the annual inspection test in the future would be called before a hearing of the Regulation and Licensing Committee for possible suspension of their licence.

203. APPLICATIONS IN RESPECT OF WHICH POLICE COMMENTS HAD BEEN MADE

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

	<u>Applicant</u>	<u>Activity and period of licence applied for</u>
(a)	Anthony Foulds (In attendance)	Short Term Let in relation to Forth Bay Guest House, Promenade, Leven (new application) 3 year

Motion

Councillor O'Brien, seconded by Councillor Clarke, moved that the licence be granted.

Amendment

Councillor Ballantyne-Wardlaw, seconded by Councillor MacDiarmid, moved, as an amendment, that the licence be refused.

Vote

Amendment - 2
Motion - 12

Decision

The committee agreed to grant the licence.

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| (b) | Jamie Drysdale (Not in attendance) | Taxi Driver (new application)
1 year |
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Decision

The committee agreed to grant the licence with a warning.

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| (c) | James Gilmour (In attendance) | Taxi Driver (renewal)
1 year |
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Motion

Councillor Ellis, seconded by Councillor MacDiarmid, moved that the licence be granted with a warning.

Amendment

Councillor Lothian, seconded by Councillor Tepp, moved, as an amendment, that the licence be granted with no warning.

Vote

Amendment	—	6
Motion	—	8

Decision

The committee agreed to grant the licence with a warning that any future misdemeanours brought to the attention of the committee could result in suspension of the licence.

2025.R.L.161

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| (d) | Steffan Hunter (In attendance) | Taxi Driver (new application)
1 year |
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Motion

Councillor MacDiarmid, seconded by Councillor Lothian, moved that the licence be granted.

Amendment

Councillor Lindsay, seconded by Councillor O'Brien, moved, as an amendment, that the licence be granted with a warning.

Vote

Amendment	—	6
Motion	—	8

Decision

The committee agreed to grant the licence.

204. OPPOSED APPLICATIONS

The committee considered applications for licences by the undernoted in respect of which police objections had been intimated and dealt with the applications as shown:-

	<u>Applicant</u>	<u>Activity and period of licence applied for</u>
(a)	Imam Kilinc (Not in attendance)	Late Hours Catering Licence for premises at 59 High Street, Kirkcaldy. Hours of operation are 11.00pm – 1.00am on Sunday to Thursday and 11.00pm-4.00am on Friday and Saturday. (new application) 3 year

Decision

The committee noted that the application had been withdrawn by the applicant and that the 3am licence would remain in place.

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| (b) | Bea Burgyan (Not in attendance) | Taxi Driver
(new application)
1 year |
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Decision

The committee agreed to continue consideration of the above matter to its next meeting to afford the applicant an opportunity to appear.

Councillor Ellis left the meeting following consideration of the above item.

205. CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCE

The committee considered exercising its power of suspension under paragraph 11 of Schedule 1 to the above Act in respect of the undernoted licence, and, having heard the Council's Lead Officer (Miscellaneous Licensing) thereon, dealt with the licence as shown:-

	<u>Licenceholder</u>	<u>Type, No. of Licence & Expiry Date</u>
(a)	Adam Green (Not in attendance)	Taxi Driver's Licence No 3426/0050569 Expiry Date: 16 July 2025

Decision

The committee agreed to suspend the licence until 16 July 2025, as the licenceholder was not considered to be a fit and proper person due to information received.

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.

206. APPLICATIONS IN RESPECT OF WHICH POLICE COMMENTS HAD BEEN MADE

The committee considered applications for licences by the undernoted and, having heard the representative for Police Scotland (Fife Division) and the applicants thereon, dealt with the applications as shown:-

	<u>Applicant</u>	<u>Activity and period of licence applied for</u>
(a)	Michael Berturelli (Not in attendance)	Taxi Driver (new application) 1 year

Decision

The committee agreed to continue consideration of the above application to its next meeting to afford the applicant an opportunity to appear.

(b)	Terry Porter (In attendance)	Taxi Driver (new application) 1 year
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Decision

The committee agreed to grant the licence with a warning that any future misdemeanours brought to the attention of the committee could result in suspension of the licence.

207. OPPOSED APPLICATIONS

The committee considered applications for licences by the undernoted in respect of which police objections had been intimated and dealt with the applications as shown:-

	<u>Applicant</u>	<u>Activity and period of licence applied for</u>
(a)	Joseph Bruce (Not in attendance)	Taxi Driver (new application) 1 year

Decision

The committee agreed to refuse the licence as the applicant was not considered to be a fit and proper person due to information received from Police Scotland.

(b)	Amanat Shah (In attendance with his daughter Ms Muqaddas Shahzad)	Taxi Driver (new application) 3 year
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Motion

Councillor MacDiarmid, seconded by Councillor Lindsay, moved that the licence be granted for three years with a warning.

Amendment

Councillor Adams, seconded by Councillor Browne, moved, as an amendment, that the licence be granted for one year with a warning.

Vote

Amendment	–	4
Motion	–	7

Decision

The committee agreed to grant the licence for three years with a warning that any future misdemeanours brought to the attention of the committee could result in suspension of the licence.

208. 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) dealt with the licence as shown:-

<u>Licenceholder</u>	<u>Type, No. of Licence & Expiry Date</u>
Edward Harris (Not in attendance)	Taxi Driver's Licence No 8803/0046776 Expiry Date: 05 December 2025

Following the committee decision to suspend the licence the committee then discussed the length of the suspension to be imposed.

Decision

The committee agreed to:-

- (1) suspend the licence on the grounds that the licenceholder was not considered to be a fit and proper person due to information received; and
- (2) suspend the licence until its expiry, being 5 December 2025.

Councillor Alistair Cameron left the meeting during consideration of the above item.

The meeting adjourned at 12.45pm and reconvened at 1.50pm.

209. APPLICATION IN RESPECT OF WHICH AN OBJECTION AND REPRESENTATION HAD BEEN MADE

The committee considered an application for a licence by the undernoted in respect of which an objection and representation had been made, and, in terms of Schedule 1, paragraph 4(2) to the Civic Government (Scotland) Act 1982 to hear the objector, the person making representation and the applicants thereon:-

<u>Applicant</u>	<u>Activity and period of licence applied for</u>
Sadeq & Kerar Alsafar (Both in attendance) and Mr Alsafar was represented by Mr James McPhie, Bruce Short Solicitors	Taxi Operator's Licence T043 – East Fife (renewal) 3 year

Motion

Councillor MacDiarmid, seconded by Councillor Kennedy-Dalby, moved that the licence be refused.

Amendment

Councillor Browne, seconded by Councillor Clarke, moved, as an amendment, that the licence be granted with a warning.

Vote

Amendment - 6
Motion - 6

Decision

The Convener used their casting vote in favour of the motion to refuse the licence on the basis that the applicant, Sadeq Alsafar, was not considered to be a fit and proper person to hold the licence applied for due to information received.

210. **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 licence holder thereon, dealt with the licence as shown:-

<u>Licence holder</u>	<u>Type, No. of Licence & Expiry Date</u>
Sadeq Alsafar (In attendance; Mr Alsafar was represented by Mr James McPhie, Bruce Short, Solicitors)	Taxi Driver's Licence No 1859/0050650

Motion

Councillor MacDiarmid, seconded by Councillor Kennedy-Dalby, moved that the licence be suspended.

Amendment

Councillor Clarke, seconded by Councillor Tepp, moved, as an amendment, that the licence not be suspended.

Vote

Amendment - 6
Motion - 6

Decision

The Convener used their casting vote in favour of the motion to suspend the licence on the basis that the applicant was not considered to be a fit and proper person to hold the licence due to information received.

Following the committee decision to suspend the licence for the applicant the committee then discussed the length of the suspension to be imposed.

The committee agreed to:-

- (1) suspend the licence on the grounds that the licenceholder was not considered to be a fit and proper person due to information received; and

- (2) suspend the licence for a period of one month.

THE FIFE COUNCIL –SPECIAL MEETING OF THE REGULATION AND LICENSING COMMITTEE - GLENROTHES

23rd July, 2025

10.00 am – 10.25 am

PRESENT: Councillors Tom Adams (Convener), Lynn Ballantyne-Wardlaw
Alistair Cameron, Louise Kennedy-Dalby, David MacDiarmid,
John O'Brien, Gordon Pryde, Jonny Tepp and Darren Watt.

ATTENDING: Steven Paterson, Solicitor/Legal Team Manager- Regulation, Helena Couperwhite, Committee Manager, Michelle Hyslop, Committee Officer and Craig Ritchie, Civic Government Licensing Enforcement Officer, Finance and Corporate Services; Sergeant Neil Ewing, Police Scotland (Fife Division).

APOLOGIES: Councillors Patrick Browne, Margaret Kennedy, Carol Lindsay, Donald Lothian and Nicola Patrick.

211. CHANGE IN MEMBERSHIP

The committee noted that Councillor Margaret Kennedy had replaced Councillor Eugene Clarke as a member of the Regulation & Licensing Committee.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

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

The Council's Legal Team Manager, reported to the Committee that a number of decisions had been 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 taxi/private hire car driver licences with immediate effect under paragraph 12 of Schedule 1 to the above Act having advised the Convener and Depute Convener of the Committee of these decisions. The decisions, in each case, were taken on information received from Police Scotland (Fife Division) which had to be considered prior to this meeting of the Committee.

Decision

The Committee noted that a number of taxi/private hire car driver licences had been suspended with immediate effect.

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 items of business at 169 – 171 below 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.

213. 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) dealt with the licence as shown:-

	<u>Licenceholder</u>	<u>Type, No. of Licence & Expiry Date</u>
(a)	Jason Fitzsimmons (Not in attendance)	Taxi Driver's Licence No 9857/0051098 Expiry Date: 5 November 2025

Decision

The Committee agreed to suspend the licence on the grounds that (i) the Licenceholder was not considered to be a fit and proper person to hold the licence due to the information received; and (ii) the carrying out of the activity by the Licenceholder to which the licence related was likely to cause a threat to public safety.

Following the Committee decision to suspend the Licenceholder on the foregoing grounds, the Committee then considered the period of the suspension to be imposed.

The Committee accordingly agreed to suspend the licence until its expiry as detailed above, that is, 5th November 2025.

12 August 2025

Agenda Item No. 5

Taxi Fare Scale Review 2025

Report by: Executive Director, Finance and Corporate Services

Wards Affected: All

Purpose

The purpose of this report is to seek authority to commence the 2025 review of the fixing of scales for the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi, in terms of Section 17 of the Civic Government (Scotland) Act.

Recommendation(s)

It is recommended that the Committee:-

- (1) notes the legal requirements on licensing authorities in respect of the fixing of scales for the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi, in terms of Section 17 of the Civic Government (Scotland) Act 1982;
- (2) notes the process of reviewing the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi; and
- (3) agrees to commence the process of reviewing the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi.

Resource Implications

There are no direct financial implications arising from the recommendations of this report.

Legal & Risk Implications

There is a statutory requirement to complete the review within 18 months of the previous review which was effective from 3 June 2024.

Impact Assessment

Not applicable.

Consultation

Not applicable.

1.0 Background

- 1.1 In terms of Section 17 of the Civic Government (Scotland) Act 1982, the licensing authority must fix scales for the fares and other charges in connection with the hire of or with the arrangements for the hire of a taxi, within 18 months of the last review, beginning with the date on which the scales came into effect.
- 1.2 The last review of taxi fares and other charges was commenced by the Committee at its meeting on 13 February 2024 (paragraph 88 of 2024.R.L.75) and following a period of consultation, a report setting out the outcome of the consultation was considered by this Committee on 12 March 2024 (paragraph 99 of 2024.R.L.92). The Committee agreed to the new scales of fares and charges proposed.
- 1.3 The current scales of taxi fares and charges came into effect on 3 June 2024 and now require to be reviewed following consultations with the Taxi Associations/Taxi Operators in the forthcoming review in accordance with the statutory 18 month timescale, the new scales must be fixed by 3 December 2025.

2.0 Issues and Options

- 2.1 All taxi operators licensed in Fife together with the Taxi Associations will be consulted before the Committee takes a decision on the review.
- 2.2 A further report will be submitted to the Committee advising of the outcome of the consultation and seeking the Committee's agreements in respect of the proposed scales of fares and charges.
- 2.3 The Committee's proposed scales will thereafter require to be published in a newspaper circulating in this area setting out proposed scales, explaining the effect of the proposed scales and proposing a date on which the proposed scales are to come into effect. Any person may make representation in writing until the date specific by the licensing authority for doing so, falling at least one month after the first publication by the authority of the proposed scales. It is also proposed to make use of the Council's social media with messages being placed on the Council's Facebook page and X (formerly Twitter) feed during this part of the process.
- 2.4 In the event that, following publication of the proposed scales, no adverse representations are received by the relevant date, if the Committee are minded to delegate authority for the purpose, the Head of Legal and Democratic Services may implement the proposed scales, as required.
- 2.5 In the event that adverse representation are received on the proposed scales, a further report will be submitted to this Committee to consider those representations.
- 2.6 The Committee is asked to note that the final decision taken by the Committee regarding scales will be intimated to taxi operators who will be afforded the opportunity to appeal the decision to the Traffic Commissioner for the Scottish Traffic Area.
- 2.7 In 2024 the consultations were carried out by a working group of this Committee which consisted of the Convener, Vice-Convener and four other members.

3.0 Conclusions

- 3.1 In order to enable a decision to be taken by this Committee and still allow appropriate time for advertising and the lodging of any appeals, a decision on the review will require to be taken by this Committee at its meeting on 9 September 2025.

- 3.2 A report therefore will be submitted to the Committee on 9 September 2025 for a decision on the fare scale which will be in operation and effective for the 12 month period following 3 December 2025.

Background Papers

No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

Report Contact

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