

Conference Room 2, Ground Floor, Fife House, Glenrothes
Tuesday, 3rd June, 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. **MINUTE** - Minute of Meeting of the Regulation and Licensing Committee of 6th May 2025. 5-15

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

4. **CIVIC GOVERNMENT LICENSING ENFORCEMENT OFFICER'S REPORT** - Report by the Executive Director, Finance and Corporate Services on the activities of the Civic Government Licensing Enforcement Officer. 17-23
5. **TAXI AND PRIVATE HIRE CAR INSPECTION TEST FAILURES – EAST AND WEST FIFE AREAS AND LEVENMOUTH ZONE**- Report by Service Manager, Fleet Services on annual inspection test failures. 25-27
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) Anthony Foulds	Short Term Let in relation to Forth Bay Guest House, Promenade, Leven (new application)	3 year
(D)	(ii) Jamie Drysdale	Taxi Driver (new application)	1 year
(D)	(iii) James Gilmour	Taxi Driver (renewal)	1 year

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
(iv)	Steffan Hunter	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.

(D) Deferral - Consideration of the applications at (ii) & (iii) above is continued from the meeting held on 6th May 2025.

7. OPPOSED APPLICATIONS - Consideration of applications 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 above Act, to hear the objector and the applicants thereon:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
(D)	(i)	Imam Kilinc Late Hours Catering Licence for premises at 59 High Street, Kirkcaldy Hours of operation are 11.00 pm – 1.00 am on Sunday to Thursday and 11.00 pm – 4.00 am on Friday and Saturday (new application)	3 year
	(ii)	Bea Burgyan Taxi Driver (new application)	1 year

N.B. The applicants and objector 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 6th May 2025.

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 & Expiry Date</u>
(D)	Adam Green	Taxi Driver's Licence No. 3426/0050569 Expiry Date: 16 July 2025

(D) Deferral - Consideration of the above matter is continued from the meeting held on 6th May 2025.

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

9. 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>
	(i) Michael Berturelli	Taxi Driver (new application)	1 year
(D)	(ii) Terry Porter	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.

(D) Deferral - Consideration of the application at (ii) above is continued from the meeting held on 6th May 2025.

- 10. OPPOSED APPLICATIONS** - Consideration of applications 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 applicants thereon:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
(D)	(i) Joseph Bruce	Taxi Driver (new application)	1 year
	(ii) Amanat Shah	Taxi Driver (new application)	3 year

N.B. The applicants and objector 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 6th May 2025.

- 11. CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCE** - The Committee is asked to consider exercising power of suspension under paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 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 & Expiry Date</u>
Edward Harris	Taxi Driver's Licence No. 8803/0046776 Expiry Date: 05 December 2025

- 12. APPLICATION IN RESPECT OF WHICH AN OBJECTION AND REPRESENTATION HAVE BEEN MADE** - Consideration of application for licence by the undernoted in respect of which an objection and representation have 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</u>	<u>Period of Licence Applied For</u>
(D)	Sadeq & Kerar Alsafar	Taxi Operator's Licence T043 – East Fife (renewal)	3 year

N.B. The applicants, objector and person making representation 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 6th May 2025.**

13. **CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCE** - The Committee is asked to consider exercising power of suspension under paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 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 Council's Civic Government Licensing Enforcement Officer will report.

Licenceholder

Type, No. of Licence & Expiry Date

(D) Sadeq Alsafar

Taxi Driver's Licence No. 1859/0050650
Expiry Date: 17 May 2027

(D) **Deferral - Consideration of the above matter is continued from the meeting held on 6th May 2025.**

14. **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

29 May 2025

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

THE FIFE COUNCIL – REGULATION AND LICENSING COMMITTEE - GLENROTHES

6th May, 2025

9.30 a.m. – 6.13 p.m.

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

ATTENDING: Kimberley Langley, Solicitor, Gillian Love, Lead Officer, Miscellaneous Licensing and Craig Ritchie, Civic Government Licensing Enforcement Officer, all in Finance and Corporate Services; Sergeant Neil Ewing, Police Scotland (Fife Division); and Billy Ferguson, Service Manager, Fleet Services for items 186, 187 & 188 only).

APOLOGIES: Councillor Gordon Pryde.

OBSERVER: Karen Gaaney, Legal Services Assistant, Legal Services.

184. MINUTE

The Committee considered the Minute of Meeting of the Regulation and Licensing Committee of 11th March, 2025.

Decision

The Committee approved the Minute.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

185. 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 above Act having advised the Convener and Depute Convener of the Committee of this decision. The decision was taken as information had been received from Police Scotland (Fife Division) 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.

186. TAXI AND PRIVATE HIRE CAR INSPECTION TESTS – EAST FIFE AREA

The Committee considered a report by Service Manager, Fleet Services on annual inspection tests carried out on vehicles in the East Fife Area between February and April, 2025.

Decision

The Committee, having heard the Service Manager, Fleet Services on the report and, following discussion, congratulated those operators whose vehicles passed the test first time and agreed to continue consideration of these three items to allow the Convener & Vice Convener together with the previous Convener of the Committee, Cllr. Lindsay, to meet with Council officers to consider what measures could be taken against those operators whose vehicles failed the annual inspection tests this time around and whether these measures could be introduced to all operators who had any vehicles failing the annual inspection tests in future.

187. TAXI AND PRIVATE HIRE CAR INSPECTION TESTS – LEVENMOUTH ZONE

The Committee considered a report by Service Manager, Fleet Operations on annual inspection tests carried out on vehicles in the Levenmouth Zone between February and April, 2025.

Decision

The Committee, having heard the Service Manager, Fleet Services on the report and, following discussion, congratulated those operators whose vehicles passed the test first time and agreed to continue consideration of these three items to allow the Convener & Vice Convener together with the previous Convener of the Committee, Cllr. Lindsay, to meet with Council officers to consider what measures could be taken against those operators whose vehicles failed the annual inspection tests this time around and whether these measures could be introduced to all operators who had any vehicles failing the annual inspection tests in future.

188. TAXI AND PRIVATE HIRE CAR INSPECTION TESTS – WEST FIFE AREA

The Committee considered a report by Service Manager, Fleet Operations on annual inspection tests carried out on vehicles in the West Fife Area between February and April, 2025.

Decision

The Committee, having heard the Service Manager, Fleet Services on the report and, following discussion, congratulated those operators whose vehicles passed the test first time and agreed to continue consideration of these three items to allow the Convener & Vice Convener together with the previous Convener of the Committee, Cllr. Lindsay, to meet with Council officers to consider what measures could be taken against those operators whose vehicles failed the annual inspection tests this time around and whether these measures could be introduced to all operators who had any vehicles failing the annual inspection tests in future.

189. APPLICATION IN RESPECT OF WHICH OBJECTIONS/REPRESENTATIONS/SUPPORT HAD BEEN MADE

The Committee considered application for licence by the undernoted and, having heard some of those persons making objection/representation or in support of the application as well as the applicants thereon, dealt with the application as shown:

Applicant

Activity and period of licence applied for

Carol Duff Art Projects

Public Entertainment for premises at The Aurrie Mor, Main Street, Lower Largo to operate on an event-by-event basis with day events being held between 9.00am - 6.00pm and evening events between 6.00pm – 11.45pm. With the maximum number of people to be admitted to the premises at any one time being 100.
(new application)
3 year

Decision

The Committee agreed to grant the licence subject to the standard conditions attached to public entertainment licences as well as the following additional conditions :

The number of persons admitted to the events at any one time shall not exceed 60 unless modifications are made to the building to allow the capacity to increase to 100. The increase in capacity must be approved by Fife Council's Building Standards & Safety Service prior to any licensed events being held for more than 60;

The premises is licensed for the purposes of the recreation or entertainment only as follows:-

Monday - Sunday 9.00 am – 6.00 pm and 6.00 pm – 10.30 pm subject to timing and frequency of evening events listed below;

Timing and frequency of evening events;

- Music/performances no later than 10.30 p.m.
- Attendees to leave no later than 11.15 p.m.
- No more than 26 evening events per annum

Transport;

- Events to finish before last bus services depart
- Promotion of active travel and public transport
- Bike-rack installed in front courtyard
- Promotion of 2 nearby car-parks

Sound Proofing; /

Sound Proofing;

- All windows to be kept shut during performances
- Automatic door closers on venue hall doors
- In-house PA used and sound-checked by building manager
- Additional internal soundproofing measures

Terms and Conditions of use of the venue;

- To manage responsible access a door steward must be appointed
- Responsible parking, being mindful of neighbour access
- No smoking or gathering outside the building
- Mandate end timings of the event
- All above enforced by non-return of deposit; and

Use of both front and side doors for attendees leaving the building.

The applicants, objectors/those making representation/those in support had been invited to attend and be represented at the meeting and the following were in attendance with some being heard. Carol and Andy Duff, Kyle Adam, Sharon Campbell, Rhonda Christie, Lorna Cunningham, Jane Faulds, Ian Fowler, Mhairi Macallan, David Mach, Anne McKay, Dr and Mrs G S McLaren, Douglas McMillan, Dr Andrew Oakenfull, Joan Paton, Alan and Sue Reekie, James and Barbara Simpson, Nikki McArthur from the Council's Public Protection Team and Gregor Stewart from the Council's Building Standards Team, Robert Barker, Valerie Crouse, Gordon Dakers, Joanna Dakers and Dr Morna and Seroop Ramday.

(Councillor McLelland left the meeting during discussion of the above item).

190. 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)	Claire Adams	Taxi Driver (new application) 3 year

Motion

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

Amendment

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

Vote

Amendment – 4
Motion – 9

Decision

The Committee agreed to grant the licence.

- | | | |
|-----|-------------|--|
| (b) | Adam Cairns | Taxi Driver
(new application)
1 year |
|-----|-------------|--|

Decision

The Committee agreed to grant the licence with a warning.

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|-----|----------------|--|
| (c) | Jamie Drysdale | 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.

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|-----|---------------|------------------------------------|
| (d) | James Gilmour | Taxi Driver
(renewal)
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.

All of the above applicants had been invited to attend and be represented at the meeting. The applicants at (a) and (b) were present and heard. The applicants at (c) and (d) were not in attendance.

The warning given to the applicant at (b) above was that any future misdemeanours brought to the attention of the Committee could result in suspension of the licence.

(Councillor Cameron entered the meeting prior to discussion of the item at (a) above).

191. **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) Charagh Limited	Late Hours Catering Licence for premises at 31 Whytecauseway, Kirkcaldy. Hours of operation are 11.00pm – 3.00pm on Sunday to Thursday and 11.00pm – 4.00am on Friday and Saturday. (new application) 3 year

Motion

Councillor Clarke, seconded by Councillor Watt, moved that the licence be granted.

Amendment

Councillor Lindsay, seconded by Councillor Kennedy Dalby, moved, as an amendment, that the licence be granted for 7 days a week until 3.00am only.

Vote

Amendment - 9
Motion - 4

Decision

The Committee agreed to grant the licence for 7 days a week until 3.00am only.

(b) Imam Kilinc	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
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Decision

The Committee agreed to continue consideration of the above application to its next meeting to afford the applicant an opportunity to appear with his legal representative.

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| (c) | Krzysztof Dusza | Taxi Driver
(new application)
1 year |
|-----|-----------------|--|

Decision

The Committee agreed to refuse the licence.

The applicants and objector had been invited to attend and be represented at the meeting. The applicant at (c) was present and heard. Farzana Almass & Mohammed Asif were present for the application at (a).

Consideration of the application at (c) above was continued from the meeting held on 11th March, 2025.

The reason for refusal of the application at (c) above was that the applicant was not considered to be a fit and proper person to hold the licence applied for in view of the nature and extent of previous convictions recorded against him.

192. 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>
Adam Green	Taxi Driver's Licence No 3426/0050569 Expiry Date: 16 July 2025

Decision

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

193. 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.

194. **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)	Calum Farmer	Taxi Driver (renewal) 1 year

Decision

The Committee agreed to grant the licence with a warning and requested that the applicant re-attend the first available taxi drivers' training course at Fife House, Glenrothes.

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

The Committee agreed to continue consideration of the above application to its next meeting to afford the applicant a further opportunity to appear.

The above applicants had been invited to attend and be represented at the meeting. The applicant at (a) was in attendance. The applicant at (b) was not in attendance.

Consideration of the application at (b) above was continued from the meeting held on 11th March, 2025.

The warning given to the applicant at (a) above was that any future misdemeanours brought to the attention of the Committee could result in suspension of the licence.

195. **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)	Luke Angove	Taxi Driver (new application) 1 year

Decision

The Committee agreed to refuse the licence.

- | | | |
|-----|--------------|--|
| (b) | Joseph Bruce | 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.

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|-----|-------------------|--|
| (c) | Johnathan Vickers | Taxi Driver
(new application)
1 year |
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Decision

The Committee noted that this application had now been withdrawn.

The applicants and objector had been invited to attend and be represented at the meeting. None of the above applicants were in attendance.

Consideration of the application at (a) above was continued from the meeting held on 11th March, 2025.

The reason for refusal of the application at (a) above was that the applicant was not considered to be a fit and proper person to hold the licence applied for due to information received from Police Scotland as well as the nature and extent of an incident he had been involved in.

196. 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>
Ahmad Tauseef	Taxi Driver's Licence No 3325/0048943 Expiry Date: 29 July 2026

Decision

The Committee agreed to suspend the licence.

The Committee thereafter took a decision on the length of suspension.

Decision

The Committee agreed to suspend the licence until its expiry being 29 July 2026.

The above licenceholder had been invited to attend and be represented at the meeting but was not in attendance.

Consideration of the above matter was continued from the meeting held on 11th March, 2025.

The ground for suspension of the above licence was that the licenceholder was no longer considered to be a fit and proper person to hold the licence in view of the nature and extent of an incident he had been involved in.

197. 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	Taxi Operator's Licence T043 – East Fife (renewal) 3 year

Decision

The Committee agreed to continue consideration of the above application to its next meeting to afford the applicants an opportunity to appear with their legal representative.

The above licenceholders had been invited to attend and be represented at the meeting and were in attendance.

198. 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 liceneholder thereon, dealt with the licence as shown:-

Licenceholder

Type, No. of Licence & Expiry Date

Sadeq Alsafar

Taxi Driver's Licence No 1859/0050650

Expiry Date: 17 May 2027

Decision

The Committee agreed to continue consideration of the above matter to its next meeting to afford the licenceholder an opportunity to appear with his legal representative.

199. **OPPOSED APPLICATION**

The Committee considered application for licence by the undernoted in respect of which objections had been intimated and dealt with the application as shown:-

Applicant

Activity and period of licence applied for

Mehmet Tarkocin

Private Hire Operator's Licence P015 – Kirkcaldy Zone
(renewal)
3 year

Motion

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

Amendment

Councillor Lothian, seconded by Councillor Clarke, moved, as an amendment, that the licence be granted.

Vote

Amendment – 3

Motion – 10

Decision

The Committee agreed to refuse the licence.

The above licenceholder had been invited to attend and be represented at the meeting and was present and represented by his Solicitor Bilal Al Latif, Glasgow.

The ground for refusal of the above licence was that the licenceholder was no longer considered to be a fit and proper person to hold the licence in view of the nature and extent of incidents he had been involved in.

3 June 2025

Agenda Item No. 4

Civic Government Licensing Enforcement Officer Report

Report by: Eileen Rowand, Executive Director, Finance and Corporate Services

Wards Affected: All

Purpose

The purpose of this report is to inform members of the Committee of the activities of the Civic Government Licensing Enforcement Officer from January 2025 – April 2025.

Recommendation(s)

The Committee is asked to note the contents of the report.

Resource Implications

The costs of the officers' activities are met from the existing budget.

Legal & Risk Implications

The activities of the Civic Government Licensing Enforcement Officer will ensure the Council are seen to be taking appropriate action to ensure those individuals and companies issued with licences by Fife Council are maintaining high standards and complying with the conditions of the licences issued.

Impact Assessment

The activities of the Civic Government Licensing Enforcement Officer will not impact on any one area of the community more than any other. There is therefore no requirement for an impact assessment.

Consultation

To ensure the activities of the Civic Government Licensing Enforcement Officer are focussed on areas of particular need, close consultation is held with members of the Civic Government Licensing Team, the Convener and Vice Convener of the Committee, other services within Fife Council and Police Scotland Fife Division. Licence-holders and members of the public are consulted on a needs basis during enquiries into complaints or compliance checks.

1.0 Background

1.1 There is one Civic Government Licensing Enforcement Officer working 8am to 6pm Monday to Thursday, with flexibility for working outwith these hours/days. Currently, the officer is primarily working from home. The objectives of this post are to:

- Make enquiry into complaints relating to the holders of licences under the Civic Government (Scotland) Act 1982
- To undertake spot checks to ensure the conditions of licences are complied with
- To take appropriate enforcement action where conditions of licences are not being complied with
- To improve standards of licence holders
- To undertake joint inspections with other agencies or services of Fife Council to determine compliance with licence conditions
- To take action in relation to unlicensed activities and report where necessary to Police Scotland (Fife Division) for consideration of prosecution

2.0 Enquiry Activity

2.1 This report covers the period from 1 January 2025 – 30 April 2025.

2.2 The Enforcement Officer has undertaken 47 enquiries into complaints, suspected non-compliance with licence conditions, requests for assistance with applications and other licensing issues. Some of these complaints have been straightforward and were easily resolved, others however have been more complex and required extended enquiry and input from other services or agencies. These enquiries included the following licensed activities:

- | | |
|--------------------------------|----|
| • Public Entertainment Licence | 3 |
| • Skin Piercing & Tattooing | 1 |
| • Street Traders | 4 |
| • Taxi Drivers | 34 |
| • Vehicle Operators | 5 |

2.3 These have resulted in the following outcomes/disposals:

- | | |
|-------------------------|----|
| • Advice | 15 |
| • Application withdrawn | 1 |
| • Monitored | 3 |
| • Other Agency | 3 |
| • Report to Committee | 2 |
| • Unsubstantiated | 14 |
| • Verbal Warning | 8 |
| • Written Warning | 1 |

Further details can be found in Appendix 1.

2.4 49 Spot checks have been conducted by the Enforcement Officer on the following licensed activities:

• Late Hours Catering	7
• Second Hand Dealers	3
• Street Traders	4
• Taxi Drivers	35

This includes a joint operation with police officers from Police Scotland checking taxi drivers and late hours catering premises

2.5 These have resulted in the following outcomes/disposals:

• No Issues	41
• Licence applied for	1
• Non-compliance with conditions of licence	7

Further details can be found in Appendix 2.

2.6 Unmet Demand Monitoring

Regular checks at taxi ranks across Fife and discussion with taxi operators continued during the period covered by this report to assess levels of demand. During the period 42 ranks checks were carried out at various times of the day and night. These observations and consultations show there is no change to the level of demand for taxi services.

There is not therefore considered to be any significant unmet demand for taxi services in Fife. The 2014 Halcrow report on unmet demand remains relevant.

2.7 Additional Activities

On the 18th of February 2025, in response to local issues involving the taxi trade and late hours catering premises in the St Andrews area, the Enforcement Officer attended a team briefing of police officers at St Andrews Police Station and delivered an input on the licensing requirements and conditions applicable to taxis/PHCs and late hours catering premises. This was well-received and has since been followed up with a day of action.

3.0 Conclusions

3.1 The work of the Enforcement Officer continues to focus on areas of particular need through the analysis of complaints and observations in the Licensing Unit and at Regulation and Licensing Committee.

Consultation with other services and joint working is continuing to ensure a co-ordinated approach to enforcement where that is appropriate.

Report Contact

Craig Ritchie
Civic Government Licensing Enforcement Officer,
Finance and Corporate Services,
Telephone: 03451 55 55 55 442166
Enforcementofficer@fife.gov.uk

Section 2.2-2.3 of the report gives quantitative information relating to enquiries or complaints received.

This appendix gives more detail in relation to some of the outcomes listed in that section.

Advice

Advice was given to:

- An unlicensed individual advertising on social media that she was available to 'do lifts' for payment.
- Several taxi operators and drivers on minor complaints from the public or other operators/drivers
- Several vehicle operators following complaints from neighbours about drivers on contracts sounding their horns when attending the pick-up address.
- A Street Trader regarding a similar complaint of an excessively loud horn when delivering fish
- A funfair operator regarding a complaint from the public about noise and anti-social behaviour

Assistance Provided

In order to assist the licensing team dealing with incomplete or unclear applications, the Enforcement Officer has made efforts to contact the applicants and obtain the documents/information that is required to progress the applications.

Assistance has also been provided to other Services e.g. Trading Standards, Environmental Health, etc. through joint visits to licensed premises.

Application withdrawn

A taxi driver application was withdrawn after involvement from the Enforcement Officer when it was discovered that the applicant had restrictions on his Right to Work in the UK and he would be breaching these by driving a taxi.

Monitor

Monitoring is continuing into the activities of a taxi driver in the Leven area following an unsubstantiated complaint of inappropriate behaviour where the police have been involved.

A Street Trader's activities are also being monitored following a complaint of obstruction and littering.

Monitoring is also continuing into the activities of a taxi driver who has been reported to the police for alleged theft/embezzlement of the takings from at least 2 taxi companies he has worked for.

Other Agency

Information has been passed to the police regarding unlicensed activities following complaints from the public.

Report to Committee

2 separate complaints from the public against a taxi driver in East Fife have resulted in the Enforcement Officer submitting a report to the Committee seeking suspension of his taxi driver licence.

Unsubstantiated

14 complaints were considered unfounded after investigation; 2 of these related to street traders while the others all related to taxi drivers/operators.

Verbal Warning

8 verbal warnings were given to taxi drivers for a variety of infringements of their licences.

Written Warning

One driver of a taxi has been issued with a written warning after admitting that he undertook the complainer's car on a dual carriageway, having been granted his current licence with a warning. He was also required to re-attend the Taxi Driver's Training Course and sit a driving assessment at his own expense, which he has complied with.

Section 2.4-2.5 gives quantitative information relating to spot checks conducted by the Enforcement Officer.

This appendix gives detail in relation to some of the outcomes listed in that section.

Checks were made on:

- 7 Late Hours Catering premises
- 3 Second Hand Dealers
- 4 Street Traders
- 35 Taxi Drivers

A joint operation was carried out with the Road Policing officers of Police Scotland, Fife Division on 18th April 2025 in the East Fife area.

Of the 35 taxi drivers checked, 31 were found to have no issues. 4 received warnings for breaching the conditions of their licence. All 4 were failing to display their ID badge.

Of the 7 late hours catering premises, 5 were found to have no issues. 2 were failing to display their licences.

1 of the 3 second hand dealers was also failing to display their licence and had to request and pay for a copy of their licence.

1 of the street traders was found to have another member of staff serving the public who was unlicensed. They have since applied for a licence.

3 June 2025

Agenda Item No. 5

TAXI AND PRIVATE HIRE CAR INSPECTION TEST FAILURES – EAST AND WEST FIFE AREAS AND LEVENMOUTH ZONE

Report by: Billy Ferguson, Service Manager, Fleet Operations

Wards Affected: 1, 2, 3, 4, 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 22 & 23

Purpose:

To advise the Committee of the outcome of a meeting held to discuss measures for those failing the annual inspection tests in East and West Fife Areas & Levenmouth Zone

Recommendation:

It is recommended that the Committee agrees to the measures detailed below.

Resource Implication:

Arrangements may have to be made for all of the measures detailed below to be administered.

Legal & Risk Implications:

None

Policy & Impact Assessment:

None

Consultation:

None

1.0 Background

- 1.1 This report gives the outcome of the meeting held on 13th May 2025 as directed in the decisions detailed in minute reference numbers 186, 187 & 188 of 2025.R.L.148.
- 1.2 At the meeting held on 6th May three test reports for the above areas were considered and as there were a number of failures at annual inspection the Committee agreed to continue consideration of these three items to allow the Convener & Vice Convener together with the previous Convener of the Committee, Cllr. Lindsay, to meet with Council officers to consider what measures could be taken against those operators whose vehicles failed the annual inspection tests this time around and whether these measures could be introduced to all operators who had any vehicles failing the annual inspection tests in future.

2.0 Issues and Options

- 2.1 Councillors Adams, Browne & Lindsay agreed that the following measures should be taken against those operators whose vehicles failed the annual inspection tests this time around. It was also agreed that these measures should be taken against those operators whose vehicles fail any future inspection tests:
 - All operators failing the test be called to a meeting with the above-mentioned Councillors and officers of the Council to discuss the failure rates in all three areas as well as the measures to be taken against them;
 - All taxi & 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;
 - Any operators with vehicles failing the annual test in future may have to wait for a re-test for their vehicle;
 - 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;

- Spot checks will continue to be carried out on a regular basis throughout Fife
- If the new measures are agreed by the Committee, any operator failing the annual inspection test in the future will be called in to a hearing by the Regulation & Licensing Committee for possible suspension of their licence.

3.0 Conclusions

- 3.1 As the Committee was disappointed in the failure rates at annual test it is felt appropriate to introduce the above measures to increase the number of vehicles passing the test first time.

Background Papers

Hackney Carriage Test Reports for East & West Fife Areas as well as Levenmouth Zone.

Report Contact

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