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

**11th March, 2025 9.30 a.m. – 4.09 p.m.**

**PRESENT:** Councillors Tom Adams (Convener for items 173 - 178), Patrick Browne (Convener for items 179 – 183), Alistair Cameron, Eugene Clarke, Gavin Ellis, Louise Kennedy-Dalby, Carol Lindsay, Donald Lothian, David MacDiarmid, Nicola Patrick, Gordon Pryde, 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; and Sergeant Neil Ewing, Police Scotland (Fife Division).

**APOLOGIES:** Councillor John O’Brien.

## 173. **URGENT BUSINESS**

## The Convener advised that in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, he had agreed that the item of business at 178(a) below be considered as a matter of urgency.

174. **MINUTE**

 The Committee considered the Minute of Meeting of the Regulation and Licensing Committee of 14th January, 2025.

 **Decision**

 The Committee approved the Minute.

175. **CINEMAS ACT 1985 – VARIATION OF LICENSING CONDITIONS - THE BYRE THEATRE, ABBEY STREET, ST. ANDREWS – 25 - 27 APRIL 2025**

 The Committee considered a report by the Lead Officer, Miscellaneous Licensing on a request to vary licence conditions to allow the theatre to screen non-BBFC certificated films.

**Decision**

The Committee agreed to grant permission to allow the non-BBFC certificated films, as circulated to the Committee, to be shown at the Byre Theatre from 25-27 April 2025.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

176. **SUSPENSION OF** **TAXI/PRIVATE HIRE CAR DRIVER AND TAXI OPERATOR’S LICENCES**

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 and taxi operator’s 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 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 and taxi operator’s licences had been suspended with immediate effect.

177. **MISCELLANEOUS LICENSING – REVIEW OF FEES**

The Committee considered a report by Executive Director, Finance and Corporate Services on proposals for an increase in the miscellaneous licensing fees.

 Decision

 The Committee, having heard the Council’s Lead Officer, Miscellaneous Licensing on the report and following discussion:

1. approved the proposed increases to miscellaneous licensing fees from 1st April, 2025; and;
2. noted the proposal to increase the fees for all miscellaneous licensing applications on an annual basis in line with the Council’s policy on increases in fees.

Following on from the discussion on the fees, the Council’s Lead Officer, Miscellaneous Licensing informed the Committee of an investigation carried out by the Miscellaneous Licensing Team into the low number of wheelchair accessible vehicles licensed as taxis and private hire vehicles in East Fife and suggested that the miscellaneous licensing team in conjunction with Fleet Services undertakes a six-month pilot project which would allow:

* Applicants applying for new private hire licences; or
* Currently licensed taxi or private hire operators wishing to replace existing licensed vehicles

the opportunity to have wheelchair accessible vehicles, up to a maximum of 7 years old from date of 1st registration, licensed as taxis or private hire vehicles. It is hoped that this pilot would assist in encouraging taxi and private hire operators to consider operating more wheelchair accessible vehicles in East Fife.

Decision

The Committee instructed the miscellaneous licensing team in conjunction with Fleet Services to undertake a six-month pilot project on the above from 1st April to 30th September 2025.

178. **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:-

|  |  |  |
| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
| (a) | Graham Hunter | Taxi Driver(new application)3 year |
|  | **Decision**The Committee agreed to grant the licence with a warning. |
| (b) | Andrew Black | Taxi Driver(new application)1 year |
|  | **Decision**The Committee agreed to refuse the licence. |
| (c) | Jonathan Blaney | Taxi Driver(renewal)1 year |
|  | **Decision**The Committee agreed to grant the licence with a warning. |
| (d) | Josh Carstairs | Taxi Driver(new application)1 year |
|  | **Decision**The Committee agreed to grant the licence with a warning. |
| (e) | Anthony Gillies | Taxi Driver(new application)1 year |
|  | **Decision**The Committee agreed to grant the licence with a warning. |
| (f) | Bryan Duguid | Taxi Driver(new application)3 year |
|  | **Decision**The Committee agreed to refuse the licence. |
| (g) | Jason McFarlane | Taxi Driver(new application)1 year |
|  | **Decision**The Committee agreed to grant the licence with a warning. |
| (h) | Stuart Smith | Taxi Driver(new application)1 year |
|  | **Decision**The Committee agreed to grant the licence with a warning. |

The above applicants had been invited to attend and be represented at the meeting and with the exception of the applicants at (b) and (f) were all present and heard.

Consideration of the applications at (b) and (f) above was continued from the meeting held on 14th January, 2025.

The warning given to the applicants at (a), (c), (d), (e), (g) and (h) above was that any future misdemeanours brought to the attention of the Committee could result in suspension of the licence.

The reason for refusal of the applications at (b) and (f) above was that the applicants were not considered to be fit and proper persons to hold the licences applied for in view of the nature and extent of previous convictions recorded against them.

*(Councillor Tom Adams left the meeting following consideration of the application at (h) above).*

179. **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:-

|  |  |  |
| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
| (a) | Paul Irvine | Knife Dealer at Aladdins Cave, 259 High Street, Leslie(new application)3 year |
|  | MotionCouncillor Pryde, seconded by Councillor Ellis, moved that the licence be refused.AmendmentCouncillor Clarke, seconded by Councillor Tepp, moved, as an amendment, that the licence be granted with a warning.VoteAmendment - 2Motion - 10**Decision**The Committee agreed to refuse the licence. |
| (b) | Krzysztof Dusza | 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 a further opportunity to attend. |

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

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 in view of the nature and extent of a previous conviction recorded against him.

180. **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.

181. **CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCES**

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 licences, and, having heard the representative for Police Scotland (Fife Division) and the licenceholder at (a) thereon, dealt with the licences as shown:-

|  |  |  |
| --- | --- | --- |
|  | Licenceholder | Type, No. of Licence & Expiry Date |
| (a) | Hamzah Alghazawi | Taxi Driver’s Licence No 1738/0047993Expiry Date: 27 April 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 date, as detailed above. |
| (b) | Ahmad Tauseef | Taxi Driver’s Licence No 3325/0048943Expiry Date: 29 July 2026 |
|  | **Decision**The Committee agreed to continue consideration of the above matter to its next meeting to afford the licenceholder a further opportunity to attend. |

The above licenceholders had been invited to attend and be represented at the meeting. The licenceholder at (a) was present and heard. The licenceholder at (b) was not in attendance.

The ground for suspension of the licence at (a) above was that the licenceholder was no longer considered to be a fit and proper person to hold the licence.

*(Councillor Eugene Clarke left the meeting following consideration of the matter at (a) above).*

182. **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:-

|  |  |  |
| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
| (a) | Robert Berry | 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) | David Feeney | Taxi Driver(new application)1 year |
|  | **Decision**The Committee agreed to grant the licence with a warning. |
| (c) | Terry Porter | 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 a further opportunity to attend. |
| (d) | Darren Slane | Taxi Driver(new application)1 year |
|  | **Decision**The Committee agreed to grant the licence with a warning. |

The above applicants had been invited to attend and be represented at the meeting and with the exception of the applicant at (c) above were all were present and heard.

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

*(Councillor Carol Lindsay left the meeting following consideration of the application at (a) above).*

183**. 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:-

|  |  |  |
| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
| (a) | Luke Angove | 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 a further opportunity to attend. |
| (b) | Daniel Frame | Taxi Driver(new application)1 year |
|  | **Decision**The Committee agreed to refuse the licence. |
| (c) | Rafiqul Islam | Taxi Driver(new application)1 year |
|  | **Decision**The Committee noted that this application had now been withdrawn. |
| (d) | Allun Wright | Taxi Driver(new application)1 year |
|  | MotionCouncillor Cameron, seconded by Councillor Lothian, moved that the licence be granted with a warning.AmendmentCouncillor MacDiarmid, seconded by Councillor Patrick, moved, as an amendment, that the licence be refused.VoteAmendment - 4Motion - 6**Decision**The Committee agreed to grant the licence with a warning. |

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

Consideration of the applications at (b) and (c) above was continued from the meeting held on 14th January, 2025.

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

The reason for refusal of the application at (b) 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 as well as incidents he had been involved in.

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