**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 Gainey, 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/represntation or in support of the application as well as the applicants thereon, dealt with the application as shown:

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| 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).*

*(Councillor Clarke left the meeting prior to discussion of the above item, as he was known to the applicants,objectors/those making representation and re-entered the meeting prior to discussion of the item at 190(a) below).*

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:-

|  |  |  |
| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
| (a) | Claire Adams | Taxi Driver(new application)3 year |
|  | MotionCouncillor Ellis, seconded by Councillor MacDiarmid, moved that the licence be granted.AmendmentCouncillor Lindsay, seconded by Councillor Patrick, moved, as an amendment, that the licence be granted with a warning.VoteAmendment – 4Motion – 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. |
| (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. |
| (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:-

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| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
| (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 |
|  | MotionCouncillor Clarke, seconded by Councillor Watt, moved that the licence be granted.AmendmentCouncillor Lindsay, seconded by Councillor Kennedy Dalby, moved, as an amendment, that the licence be granted for 7 days a week until 3.00am only.VoteAmendment - 9Motion - 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 |
|  | **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. |
| (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:-

|  |  |  |
| --- | --- | --- |
|  | Licenceholder | Type, No. of Licence & Expiry Date |
|  | Adam Green | Taxi Driver’s Licence No 3426/0050569Expiry 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:-

|  |  |  |
| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
| (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 |
|  | **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:-

|  |  |  |
| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
| (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. |
| (c) | Johnathan Vickers | Taxi Driver(new application)1 year |
|  | **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:-

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| --- | --- | --- |
|  | Licenceholder | Type, No. of Licence & Expiry Date |
|  | Ahmad Tauseef | Taxi Driver’s Licence No 3325/0048943Expiry 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:

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| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
|  | 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:-

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| --- | --- | --- |
|  | Licenceholder | Type, No. of Licence & Expiry Date |
|  | Sadeq Alsafar | Taxi Driver’s Licence No 1859/0050650Expiry 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:-

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| --- | --- | --- |
|  | Applicant | Activity and period of licence applied for  |
|  | Mehmet Tarkocin | Private Hire Operator’s Licence P015 – Kirkcaldy Zone(renewal)3 year |
|  | MotionCouncillor Lindsay, seconded by Councillor Kennedy Dalby, moved that the licence be refused.AmendmentCouncillor Lothian, seconded by Councillor Clarke, moved, as an amendment, that the licence be granted.VoteAmendment – 3Motion – 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.

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