

THE FIFE COUNCIL – REGULATION AND LICENSING COMMITTEE - GLENROTHES

3rd December, 2024

9.30 a.m. – 1.42 p.m.

PRESENT: Councillors Tom Adams (Convener), Lynn Ballantyne-Wardlaw, Patrick Browne, Eugene Clarke, Gavin Ellis, Louise Kennedy-Dalby, Carol Lindsay, Donald Lothian, Lea McLelland, David MacDiarmid, 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 Operations (for item 155 only).

APOLOGIES: Councillors Alistair Cameron and Gordon Pryde.

154. MINUTE

The Committee considered the Minute of Meeting of the Regulation and Licensing Committee of 5th November, 2024.

Decision

The Committee approved the Minute.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

155. MANUAL OF GUIDANCE REGARDING INSPECTION TESTS CARRIED OUT ON LICENSED TAXIS & PRIVATE HIRE CARS

The Committee considered a report by Service Manager, Fleet Operations on a proposed Manual of Guidance regarding inspection tests carried out on Licensed Taxis & Private Hire cars by Fleet Operations.

Decision

The Committee, having heard the Service Manager, Fleet Operations on the report and, following discussion approved the Manual and its contents.

156. 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:-

2024.R.L.124

	<u>Applicant</u>	<u>Activity and period of licence applied for</u>
(a)	John Leathern	Taxi Driver (new application) 1 year

Decision

The Committee agreed to grant the licence.

(b)	Neil Shand	Taxi Driver (renewal) 3 year
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Motion

Councillor Lindsay, seconded by Councillor Adams, moved that the licence be granted with a warning.

Amendment

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

Vote

Amendment – 2
Motion – 11

Decision

The Committee agreed to grant the licence with a warning.

(c)	Dennise Turpie	Taxi Driver (new application) 1 year
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Decision

The Committee agreed to grant the licence.

(d)	Paul Young	Taxi Driver (new application) 1 year
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Decision

The Committee agreed to grant the licence.

2024.R.L.125

The above applicants had been invited to attend and be represented at the meeting and all were present and heard.

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.

157. **OPPOSED APPLICATION**

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

<u>Applicant</u>	<u>Activity and period of licence applied for</u>
Martin Burns	Taxi Driver (new application) 1 year

Decision

The Committee agreed to grant the licence with a warning.

The applicant and objector had been invited to attend and be represented at the meeting and both were present and heard.

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

158. **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 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.

159. **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)	Milen Abadzhiev	Taxi Driver (new application) 1 year

Motion

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

Amendment

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

Vote

Amendment – 8
Motion – 5

Decision

The Committee agreed to grant the licence with a warning.

- (b) Mustafa Albayrak Taxi Driver
 (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.

- (c) Muhammad Athar Taxi Driver
 (renewal)
 3 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 (b), were present and heard.

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

160. **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)	Rafiqul Islam	Taxi Driver (new application) 1 year

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

(b)	John Milne	Taxi Driver (new application) 1 year
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Decision

The Committee agreed to refuse the licence.

(c)	Muhammad Yousaf	Taxi Driver (new application) 1 year
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Motion

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

Amendment

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

Vote

Amendment – 5
Motion – 7

Decision

The Committee agreed to refuse the licence.

2024.R.L.128

The applicants and objector had been invited to attend and be represented at the meeting and were all present and heard. The applicant at (b) was represented by his Solicitor, Kerr Sneddon, Kirkcaldy.

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 a previous incident he was involved in.

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 incidents he was involved in as well as convictions recorded against him.

(Councillor Watt left the meeting following consideration of the application at (b) above).
