

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

16th January, 2024

9.30 a.m. – 4.22 p.m.

**PRESENT:** Councillors Tom Adams (Convener), Lynn Ballantyne-Wardlaw, Patrick Browne, Alycia Hayes, Donald Lothian, Lea McLelland, David MacDiarmid, Julie MacDougall, 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; Sergeant Neil Ewing, Police Scotland (Fife Division); and Steven Duffy, Workshop Team Manager, Fleet Operations (for items 77 and 78 only).

**APOLOGIES:** Councillors Sean Dillon, Gavin Ellis and John O'Brien.

75. **MINUTE**

The Committee considered the Minute of Meeting of the Regulation and Licensing Committee of 5th December, 2023.

**Decision**

The Committee approved the Minute.

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

76. **SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVERS LICENCES AND SKIN PIERCING AND TATTOOING 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 two taxi/private hire car drivers licences and one skin piercing and tattooing 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 which had to be considered prior to this meeting of the Committee.

**Decision**

The Committee noted that two taxi/private hire car drivers licences and one skin piercing and tattooing licence had been suspended with immediate effect.

**77. TAXI AND PRIVATE HIRE CAR INSPECTION TESTS - GLENROTHES ZONE -**

The Committee considered a report by Service Manager, Fleet Operations on annual inspection tests carried out on vehicles in the Glenrothes Zone in October to December, 2023.

**Decision**

The Committee, having heard the Workshop Team Manager, Fleet Operations on the report and, following discussion:

- (1) congratulated those operators whose vehicles passed the test first time; and
- (2) agreed that a letter be sent to those two operators failing the test reminding them of the standards expected for maintaining their vehicles.

**78. 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 in October to December, 2023.

**Decision**

The Committee, having heard the Workshop Team Manager, Fleet Operations on the report and, following discussion:

- (1) congratulated those operators whose vehicles passed the test first time; and
- (2) agreed that (i) two operators whose vehicles failed the test and had vehicles failing tests in the past, be brought in for a meeting with the Convener & Depute Convener regarding the maintenance of their vehicles; and (ii) a letter be sent to the other five operators failing the test reminding them of the standards expected for maintaining their vehicles.

**79. APPLICATIONS IN RESPECT OF WHICH COMMENTS HAD BEEN MADE**

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

	<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
(a)	George Campbell	Taxi Driver (new application) 1 year

**Decision**

The Committee agreed to refuse the licence.

2024.R.L.67

	<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
(b)	Lauren MacDonald	Taxi Driver (new application) 3 year

**Decision**

The Committee agreed to grant the licence.

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

Consideration of the applications at (a) and (c) above was continued from the meeting held on 5th December, 2023.

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 previous convictions recorded against him.

**80. OPPOSED APPLICATION**

The Committee considered application for licence by the undernoted in respect of which police objections had been intimated and, having heard the representative for Police Scotland (Fife Division) and the applicant thereon, dealt with the application as shown:-

	<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
	Paddy Queen	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. Both were present and heard.

**2024.R.L.68**

Consideration of the above application was continued from the meeting held on 5th December, 2023.

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.

**81. 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 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.

**82. CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCES**

The Committee considered exercising 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), the licenceholder's representative at (a) and the licenceholder at (b) thereon, dealt with the licences as shown:-

	<u>Licenceholder</u>	<u>Type, No. of Licence &amp; Expiry Date</u>
(a)	Scott Buchan	Taxi Driver 2460/0047434 Expiry Date: 20 December 2025

**Decision**

The Committee agreed not to suspend the licence but added a warning to the licence and requested that the licenceholder attend the first available taxi drivers' training course in Fife House in Glenrothes.

(b)	Scott McLaren	Taxi Driver 8444/0043270 Expiry Date: 24 February 2024
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**Motion**

Councillor MacDiarmid, seconded by Councillor Adams, moved that the licence was not suspended.

**Amendment**

Councillor Pryde, seconded by Councillor Browne, moved, as an amendment, that the licence be suspended.



83. **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 &amp; Period of Licence Applied For</u>
(a)	Laura Harkins	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.

(b)	Darren Lewis	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.

(c)	Michael Minick	Taxi Driver (new application) 1 year
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**Decision**

The Committee agreed to refuse the licence.

(d)	Muhammad Mohsin	Taxi Driver (renewal) 1 year
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**Decision**

The Committee agreed to grant the licence.

(e)	Jamie Stein	Taxi Driver (new application) 1 year
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**Decision**

The Committee agreed to refuse the licence.

## 2024.R.L.71

The applicants had been invited to attend and be represented at the meeting. The applicant at (d) was present and heard. All other applicants were not in attendance.

Consideration of the applications at (b), (c) and (d) above was continued from the meeting held on 5th December, 2023.

The reason for refusal of the applications at (c) and (e) 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 as well as incidents they had been involved in.

### 84. **OPPOSED APPLICATIONS**

The Committee considered applications for licences by the undernoted in respect of which police objections had been intimated and, having heard the representative for Police Scotland (Fife Division) and the applicants at (a), (c) and (d) thereon, dealt with the applications as shown:-

	<u>Applicant</u>	<u>Activity and period of licence applied for</u>
(a)	Alana Byers	Skin Piercing & Tattooing for premises at The Lodge House, Priory Lane, Dunfermline. Carrying on the business of tattooing, 7 days a week from 9 am – 9 pm (new application) 3 year

#### **Decision**

The Committee agreed to grant the licence.

(b)	Saad Khan	Taxi Driver (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 a further opportunity to appear.

(c)	Colin Salmond	Taxi Driver (new application) 1 year
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## 2024.R.L.72

### Motion

Councillor McLelland, seconded by Councillor Patrick, moved that the licence be granted with a warning.

### Amendment

Councillor Adams, seconded by Councillor Browne, moved, as an amendment, that the licence be refused.

### Vote

Amendment – 3

Motion – 8

### Decision

The Committee agreed to grant the licence with a warning.

- (d) James Wilkie                      Taxi Driver  
    (new application)  
    1 year

Prior to a decision being reached on the above application, the Committee took a vote on whether or not to hear further information in relation to the above application as follows:

### Motion

Councillor McLelland, seconded by Councillor MacDiarmid, moved that further information did need to be heard.

### Amendment

Councillor Lothian, seconded by Councillor Pryde, moved, as an amendment, that further information did not need to be heard.

### Vote

Amendment – 6

Motion – 4

### Decision

The Committee agreed not to hear further information on the application.

The Committee then took a decision on the application as follows:

### Decision

The Committee agreed to refuse the licence.

**2024.R.L.73**

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

Consideration of the application at (a) above was continued from the meeting held on 5th December, 2023.

The warning given to the applicant at (c) 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 (d) 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.

*(Councillor Patrick left the meeting during discussion of item (d) above).*

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