

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

13th August, 2024

9.30 a.m. – 12.50 p.m.

**PRESENT:** Councillors Tom Adams (Convener), Lynn Ballantyne-Wardlaw, Patrick Browne, Gavin Ellis, Donald Lothian, David MacDiarmid, Nicola Patrick, Gordon Pryde and Jonny Tepp.

**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:** Councillors Sean Dillon, Alycia Hayes, Carol Lindsay and Darren Watt.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

130. **MINUTES**

The Committee considered the following Minutes:

- (i) Minute of Meeting of the Regulation and Licensing Committee of 11th June, 2024; and
- (ii) Minute of Special Meeting of the Regulation and Licensing Committee of 9th July, 2024.

**Decision**

The Committee approved the Minutes.

131. **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)	John Deas	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.

(b)	Qasim Choudhary	Taxi Driver (new application) 3 year
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**Decision**

The Committee agreed to grant the licence with a warning.

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| (c) | Gary Gilchrist | Taxi Driver<br>(new application)<br>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 an opportunity to appear.

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| (d) | Thomas Simpson | Taxi Driver<br>(new application)<br>1 year |
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**Motion**

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

**Amendment**

Councillor MacDiarmid, seconded by Councillor Patrick, moved, as an amendment, that the licence be refused.

**Vote**

Amendment – 2  
Motion – 7

**Decision**

The Committee agreed to grant the licence with a warning.

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

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

**132. OPPOSED APPLICATIONS**

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

## 2024.R.L.107

	<u>Applicant</u>	<u>Activity and period of licence applied for</u>
(a)	Lucas Cudworth	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.

(b)	Edward Miller	Taxi Driver (new application) 1 year
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### Motion

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

### Amendment

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

### Vote

Amendment – 4  
Motion – 5

### 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 applicant at (b) was present and heard. The applicant at (a) was not in attendance.

Consideration of the application at (b) above was continued from the meeting held on 11th June 2024.

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.

133. **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.

134. **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) and the licenceholder at (a) thereon, dealt with the licences as shown:-

	<u>Licenceholder</u>	<u>Type, No. of Licence &amp; Expiry Date</u>
(a)	Fife Vans & Trucks Ltd	Second Hand Dealer 363/0049385 Expiry Date: 13 October 2026

**Decision**

The Committee agreed not to suspend the licence.

(b)	Scrap a Car Scotland.com Ltd	Second Hand Dealer 993/0048184 Expiry Date: 20 August 2026
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**Decision**

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

(c)	Scrap a Car Scotland.com Ltd	Metal Dealer 53/0048340 Expiry Date: 20 August 2026
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**Decision**

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

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

135. **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.109**

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

**Decision**

The Committee agreed to grant the licence.

(b)	Ajmal Maroofkhail	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 an opportunity to appear.

(b)	Shaun Wilson	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 an opportunity to appear.

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

**136. 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)	Macaulay Hutchison	Street Trader selling hot food from Banbeath Place, Leven Monday – Friday 8.00am – 2.00pm (new application) 1 year

**Decision**

The Committee agreed to refuse the licence.

## 2024.R.L.110

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

### Decision

The Committee agreed to refuse the licence.

(c)	Drew McIntosh	Taxi Driver (new application) 1 year
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### Motion

Councillor Adams, seconded by Councillor MacDiarmid, moved that the application be considered there and then.

### Amendment

Councillor Lothian, seconded by Councillor Patrick, moved, as an amendment, that consideration of the above application be continued to its next meeting to afford the applicant an opportunity to appear.

### Vote

Amendment – 5  
Motion – 4

### Decision

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

The applicants and objector had 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 application at (c) above was continued from the meeting held on 11th June 2024.

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

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