

Conference Room 2, Ground Floor, Fife House, Glenrothes  
Tuesday, 10th September, 2024 - 9.30 a.m.

AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE.**
2. **DECLARATIONS OF INTEREST** - Members of the Committee are asked to declare any interest(s) in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTE-** Minute of Meeting of the Regulation and Licensing Committee of 13th August, 2024. 5 -10

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

4. **APPLICATIONS IN RESPECT OF WHICH COMMENTS HAVE BEEN MADE** - Consideration of applications for licences by the undernoted in respect of which comment has been made, and, in terms of Schedule 1 to the above Act, to hear the applicants, or their representatives, in support of the applications:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
	(i) Ryan Blaney	Taxi Driver <b>(renewal)</b>	1 year
	(ii) Peter Christensen	Taxi Driver <b>(renewal)</b>	3 year
<b>(D)</b>	(iii) John Deas	Taxi Driver <b>(new application)</b>	1 year
	(iv) Raymond Galloway	Taxi Driver <b>(new application)</b>	1 year
<b>(D)</b>	(v) Gary Gilchrist	Taxi Driver <b>(new application)</b>	1 year

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
(vi)	Shamshad Hussain	Taxi Driver <b>(new application)</b>	1 year
(vii)	Lee Mahady	Taxi Driver <b>(renewal)</b>	1 year
(viii)	Mehmet Tarkocin	Taxi Driver <b>(renewal)</b>	3 year
(ix)	Peter & Patricia Christensen and Mehmet Tarkocin	Taxi Operator's Licence No. T020 – Kirkcaldy Zone <b>(renewal)</b>	3 year

**N.B. The applicants and those making representation have been invited to attend and be represented at the meeting.**

**(D) Deferral - Consideration of the applications at (iii) and (v) above is continued from the meeting held on 13th August, 2024.**

**5. CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCE** - The Committee is asked to consider exercising power of suspension under paragraph 11 of Schedule 1 to the above Act in respect of the undernoted licence, and, in terms of sub-paragraph (7) of said paragraph 11 to afford the licenceholder an opportunity to be heard. The Council's Civic Government Licensing Enforcement Officer will report.

<u>Licenceholder</u>	<u>Type, No. of Licence &amp; Expiry Date</u>
Mehmet Tarkocin	Private Hire Operator's Licence No. P015 – Kirkcaldy Zone Expiry Date: 7 December 2024

**6. OPPOSED APPLICATION** - Consideration of application for licence by the undernoted in respect of which a police objection has been lodged, and, in terms of Schedule 1, paragraph 4(2), to the above Act, to hear the objector and the applicant thereon:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
<b>(D)</b>	Lucas Cudworth	Taxi Driver <b>(new application)</b>	1 year

**N.B. The applicant and objector have been invited to attend and be represented at the meeting.**

**(D) Deferral - Consideration of the above application is continued from the meeting held on 13th August, 2024.**

THE FOLLOWING ITEMS ARE LIKELY TO BE CONSIDERED IN PRIVATE – IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.

**7. APPLICATIONS IN RESPECT OF WHICH POLICE COMMENTS HAVE BEEN MADE** - Consideration of applications for licences by the undernoted in respect of which police comment has been made, and, in terms of Schedule 1 to the Civic Government (Scotland) Act 1982, to hear the applicants, or their representatives, in support of the applications:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
	(i) Paul Irvine	Second Hand Dealer for premises at 259-261 High Street, Leslie selling miscellaneous items Monday - Saturday 9.00am - 5.00 pm <b>(new application)</b>	3 year
<b>(D)</b>	(ii) Ajmal Maroofkhail	Taxi Driver <b>(new application)</b>	1 year
<b>(D)</b>	(iii) Shaun Wilson	Taxi Driver <b>(new application)</b>	1 year

**N.B. The applicants and those making representation have been invited to attend and be represented at the meeting.**

**(D) Deferral - Consideration of the applications at (ii) and (iii) above is continued from the meeting held on 13th August, 2024.**

**8. OPPOSED APPLICATION** - Consideration of application for licence by the undernoted in respect of which police objections have been lodged, and, in terms of Schedule 1, paragraph 4(2) to the Civic Government (Scotland) Act 1982, to hear the objector and the applicant thereon:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
<b>(D)</b>	Drew McIntosh	Taxi Driver <b>(new application)</b>	1 year

**N.B. The applicant and objector have been invited to attend and be represented at the meeting.**

**(D) Deferral - Consideration of the above application is continued from the meeting held on 13th August, 2024.**

**9. CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCES** - The Committee is asked to consider exercising power of suspension under paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 in respect of the undernoted licences, and, in terms of sub-paragraph (7) of said paragraph 11 to afford the licenceholders an opportunity to be heard. The representative for Police Scotland (Fife Division) will report.

	<u>Licenceholder</u>	<u>Type, No. of Licence &amp; Expiry Date</u>
<b>(D)</b>	(i) Scrap a Car Scotland.com Ltd.	Second Hand Dealer 993/0048184 Expiry Date: 20 August 2026
<b>(D)</b>	(ii) Scrap a Car Scotland.com Ltd.	Metal Dealer 53/0048340 Expiry Date: 20 August 2026

**(D) Deferral - Consideration of the matters at (i) and (ii) above is continued from the meeting held on 13th August, 2024.**

**10. URGENT BUSINESS** - Any other items which the Chair decides are urgent.

Eileen Rowand,  
Executive Director,  
Finance and Corporate Services,  
Fife House,  
North Street,  
Glenrothes,  
Fife,  
KY7 5LT

4th September 2024

If telephoning please ask for: Gillian Love, Lead Officer, Miscellaneous Licensing, Fife House, Glenrothes,  
Telephone: 03451 555555; Ext. 442170 or E-mail - [gillian.love@fife.gov.uk](mailto:gillian.love@fife.gov.uk)  
Agendas and papers for all Committee meetings can be accessed on [www.fife.gov.uk](http://www.fife.gov.uk)

**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.

- (c) Gary Gilchrist                      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) Thomas Simpson                      Taxi Driver  
(new application)  
1 year

**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 at (b) and (d) were present and heard. The applicants at (a) and (c) were not in attendance.

The warning given to the applicants at (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.

(c)	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.