

Conference Room 2, Ground Floor, Fife House, Glenrothes
 Tuesday, 11th March, 2025 - 9.30 a.m.

AGENDA

	<u>Page Nos.</u>
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 14th January 2025.	5 - 12
4. CINEMAS ACT 1985 - VARIATION OF LICENSING CONDITIONS - THE BYRE THEATRE, ABBEY STREET, ST. ANDREWS - 25 – 27 April 2025 Report by Lead Officer, Miscellaneous Licensing on request to vary licence conditions to allow the theatre to screen non BBFC certificated films.	13 - 17

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

5. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER AND TAXI OPERATOR’S LICENCES - To report to the Committee that a decision was taken by the Executive Director, Finance and Corporate Services using the powers given to her under Section 2 of the Council’s List of Officer Powers ‘Emergencies and Cases of Urgency’ in consultation with the Convener and Depute Convener of the Committee, to suspend a taxi driver and taxi operator’s licences with immediate effect under paragraph 12 of Schedule 1 to the above Act. This decision was taken as information had been received from Police Scotland (Fife Division) and had to be considered prior to this meeting of the Committee.	
6. MISCELLANEOUS LICENSING - REVIEW OF FEES - Report by Executive Director, Finance and Corporate Services on proposals for an increase in the miscellaneous licensing fees.	19 - 27
7. APPLICATIONS IN RESPECT OF WHICH POLICE COMMENTS HAVE BEEN MADE - Consideration of applications for licences by the undernoted in respect of which police comments have 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>
(D)	(i) Andrew Black	Taxi Driver (new application)	1 year

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
	(ii) Jonathan Blaney	Taxi Driver (renewal)	1 year
	(iii) Josh Carstairs	Taxi Driver (new application)	1 year
(D)	(iv) Bryan Duguid	Taxi Driver (new application)	3 year
	(v) Anthony Gillies	Taxi Driver (new application)	1 year
	(vi) Jason McFarlane	Taxi Driver (new application)	1 year
	(vii) Stuart Smith	Taxi Driver (new application)	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 (i) and (iv) above is continued from the meeting held on 14th January. 2025.

8. OPPOSED APPLICATIONS- Consideration of applications for licences by the undernoted in respect of which police objections have been made, and, in terms of Schedule 1, paragraph 4(2), to the above Act, to hear the objector and the applicants thereon:

	<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
	(i) Paul Irvine	Knife Dealer at Aladdin's Cave 259 High Street Leslie (new application)	3 year
	(ii) Krzysztof Dusza	Taxi Driver (new application)	1 year

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

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

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 & Expiry Date</u>
	(i) Hamzah Alghazawi	Taxi Driver's Licence No.1738/0047993 Expiry Date: 27 April 2026

<u>Licenceholder</u>	<u>Type, No. of Licence & Expiry Date</u>
(ii) Ahmad Tauseef	Taxi Driver's Licence No. 3325/0048943 Expiry Date: 29 July 2026

10. APPLICATIONS IN RESPECT OF WHICH POLICE COMMENTS HAVE BEEN MADE - Consideration of applications for licences by the undernoted in respect of which police comments have 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) Robert Berry	Taxi Driver (renewal)	1 year
(ii) David Feeney	Taxi Driver (new application)	1 year
(iii) Terry Porter	Taxi Driver (new application)	1 year
(iv) Darren Slane	Taxi Driver (new application)	1 year

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

11. OPPOSED APPLICATIONS - Consideration of applications for licences by the undernoted in respect of which police objections have been made, and, in terms of Schedule 1, paragraph 4(2), to the Civic Government (Scotland) Act 1982, to hear the objector and the applicants thereon:

<u>Applicant</u>	<u>Activity</u>	<u>Period of Licence Applied For</u>
(i) Luke Angove	Taxi Driver (new application)	1 year
(D) (ii) Daniel Frame	Taxi Driver (new application)	1 year
(D) (iii) Rafiqul Islam	Taxi Driver (new application)	1 year
(iv) Allun Wright	Taxi Driver (new application)	1 year

N.B. The applicants and objector 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 14th January, 2025.

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

5 March 2025

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
Agendas and papers for all Committee meetings can be accessed on www.fife.gov.uk

THE FIFE COUNCIL – REGULATION AND LICENSING COMMITTEE - GLENROTHES

14th January, 2025

9.30 a.m. – 5.03 p.m.

PRESENT: Councillors Tom Adams (Convener), Lynn Ballantyne-Wardlaw, Patrick Browne, Gavin Ellis, Louise Kennedy-Dalby, Carol Lindsay, Donald Lothian, David MacDiarmid, John O'Brien, 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; Sergeant Neil Ewing, Police Scotland (Fife Division); Billy Ferguson, Service Manager and Steven Duffy, Workshop Team Manager, both Fleet Operations (for items 163, 164 and 166 only); and Barry Smith, Lead Officer - Private Housing (for item 172 only).

APOLOGIES: Councillors Alistair Cameron, Eugene Clarke and Darren Watt.

161. **MINUTE**

The Committee considered the Minute of Meeting of the Regulation and Licensing Committee of 3rd December, 2024.

Decision

The Committee approved the Minute.

162. **CINEMAS ACT 1985 – VARIATION OF LICENSING CONDITIONS - THE BYRE THEATRE, ABBEY STREET, ST. ANDREWS – 31 JANUARY 2025**

The Committee considered a report by the Lead Officer, Miscellaneous Licensing on a request to vary licence conditions to allow the theatre to screen a non-BBFC certificated film.

Decision

The Committee agreed to grant permission to allow the non-BBFC certificated film, as circulated to the Committee, to be shown at the Byre Theatre on 31 January 2025.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

163. **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, 2024.

Decision

The Committee, having heard the Service Manager, Fleet Operations on the report and, following discussion, congratulated those operators whose vehicles passed the test first time and requested that those operators failing the test attend an open day at Fleet Operations.

The Committee thereafter requested that all other operators, whose vehicles failed an annual test in 2024, attend an open day at Fleet Operations.

164. 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 November and December, 2024.

Decision

The Committee, having heard the Service Manager, Fleet Operations on the report and, following discussion, congratulated all operators for passing the test first time and otherwise noted the report.

165. CIVIC GOVERNMENT LICENSING ENFORCEMENT OFFICER'S REPORT

The Committee considered a report by Executive Director, Finance and Corporate Services on the activities of the Civic Government Licensing Enforcement Officer from July to December 2024.

Decision

The Committee, having heard the Civic Government Licensing Enforcement Officer on the report and following discussion, noted:-

- (1) the extensive and varied amount of work carried out by the Enforcement Officer during the six month period identified; and
- (2) that there would be further updates, on the activities of the Enforcement Officer, brought before the Committee on a regular basis.

166. CIVIC GOVERNMENT LICENSING ENFORCEMENT OFFICER'S REPORT

The Committee considered a report by Executive Director, Finance and Corporate Services on spot checks carried out by the Civic Government Licensing Enforcement Officer with officers of Fleet Operations & Police Scotland during November and December 2024.

Decision

The Committee, having heard the Civic Government Licensing Enforcement Officer and the Workshop Team Manager, Fleet Operations on the report and following discussion, requested that those operators failing the spot checks attend an open day at Fleet Operations.

167. **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)	Andrew Black	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)	Brian Duguid	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 an opportunity to appear.

(c)	Michael Houston	Taxi Driver (renewal) 1 year
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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. The applicants at (a) and (b) were not in attendance. The applicant at (c) was present and heard.

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.

168. **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 at 169 – 171 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.

169. **CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCE**

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 licence, and, having heard the representative for Police Scotland (Fife Division) and the licenceholder thereon, dealt with the licence as shown:-

<u>Licenceholder</u>	<u>Type, No. of Licence & Expiry Date</u>
Kenneth Crawford	Taxi Driver's Licence No 1536/0051510 Expiry Date: 4 October 2025

Decision

The Committee agreed not to suspend the licence.

170. **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)	Mustafa Albayrak	Taxi Driver (new application) 3 year

Motion

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

Amendment

Councillor MacDiarmid, seconded by Councillor O'Brien, moved, as an amendment, that the licence be refused.

Vote

Amendment – 4
Motion – 8

Decision

The Committee agreed to grant the licence with a warning.

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

Motion

Councillor Browne, seconded by Councillor Pryde, moved that the licence be refused.

Amendment

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

Vote

Amendment – 2
Motion – 10

Decision

The Committee agreed to refuse the licence.

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

Consideration of the application at (a) above was continued from the meeting held on 3rd December, 2024.

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.

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 the incident he was involved in. The Committee also noted that the applicant's last licence was granted on 11th April 2023 with a warning as to his future conduct.

171. 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)	SNEM Ltd	Late Hours Catering for premises at 13 Bell Street, St Andrews selling Hot and Cold Food 7 days a week until 3.00 a.m. (new application) 3 year

Decision

The Committee agreed to grant the licence but it does not come into effect until:

- The completed certificate of compliance is received by the Council's licensing team;
- The Council's licensing team has sight of a fully completed lease in the name of SNEM Ltd.;
- A legal undertaking is provided to the Council's licensing team that the previous licenceholder will not be involved in or working at the above premises at any time from the issue date of the late hours catering licence; and
- The licenceholders meet with a representative of Police Scotland, Fife Division as well as the Council's Civic Government Licensing Enforcement Officer to discuss the operation of the business and what is expected of them as licenceholders.

(b)	Daniel Frame	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)	Rafiqul Islam	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.

(d)	Callum Lewis	Taxi Driver (new application) 1 year
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Motion

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

Amendment

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

Vote

Amendment – 4

Motion – 7

Decision

The Committee agreed to grant the licence with a warning.

- | | | |
|-----|---------------|--|
| (e) | Sudesh Sallan | Taxi Driver
(new application)
1 year |
|-----|---------------|--|

Motion

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

Amendment

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

Vote

Amendment – 3

Motion – 8

Decision

The Committee agreed to refuse the licence.

The applicants and objector had been invited to attend and be represented at the meeting and with the exception of the applicants at (b) and (c) above were all present and heard. Stelios Paphitis and Theodoros Kalopedis were present for the applicant at (a) and were represented by their Solicitor, Audrey Junner, Glasgow.

Consideration of the application at (c) above was continued from the meeting held on 3rd December, 2024.

The warning given to the applicant at (d) 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 (e) 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 had been involved in as well as convictions recorded against him.

(Councillor O'Brien left the meeting following consideration of the item at (a) above).

(Councillor Browne left the meeting following consideration of the item at (e) above).

172. **OPPOSED APPLICATION**

The Committee considered application for licence by the undernoted in respect of which objections had been intimated and, having heard the applicant as well as four of the objectors to the application, dealt with the application as shown:-

<u>Applicant</u>	<u>Activity and period of licence applied for</u>
Gabriel McNeil	Short Term Let Licence for 6B Manse Place, High Street, Aberdour (new application) 3 year

Decision

The Committee agreed to grant the licence.

The applicant and objectors had been invited to attend and be represented at the meeting. The applicant was present and heard. Trevor & Rosemary Francis and Judith & Matthew Tidswell, objectors to the application, were also present and heard. Judith Tidswell also spoke, as representative for Gordon Dobbie, another objector to the application, who was not in attendance. No other objectors to the application were in attendance.

11th March, 2025
Agenda Item No. 4

Cinemas Act 1985 – Variation of Licensing Conditions - The Byre Theatre, Abbey Street, St. Andrews - 25 - 27 April 2025

Report by: Gillian Love, Lead Officer, Miscellaneous Licensing
Wards Affected: ALL

Purpose:

The Council has received a request for authorisation to screen uncertificated films at the Byre Theatre, St. Andrews.

Recommendation:

It is recommended that the Committee:

- (i) notes this report; and
- (ii) grants permission to allow the uncertificated films, detailed in the information circulated, to be shown between 25 – 27 April 2025 at the Byre Theatre, St. Andrews

Resource Implication:

None

Legal & Risk Implications:

None

Policy & Impact Assessment:

None

Consultation:

None

1.0 Background

- 1.1 In February 2025 the Council received notice from a representative of the Byre Theatre regarding films due to be screened as part of the Sands: International Film Festival of St Andrews between 25–27 April 2025.
- 1.2 This films still have to be classified by the BBFC. Therefore, as required by the Council’s Standard Conditions of Licence, the Byre Theatre is seeking permission for the films, detailed in the information circulated, to be shown. The committee has previously agreed to similar variations.
- 1.3 Committee members should note that any permitted variation would relate only to the films specified as circulated to members, and any films not so specified would be required to adhere to the Council’s Standard Conditions of Licence.
- 1.4 This permission will apply, as appropriate, to the Byre Theatre on 25 – 27 April 2025 only.

2.0 Conclusions

- 2.1 Condition 3 of the Council’s standard conditions, which applies to all cinema licences, states that:

No film shall be exhibited unless -

 - (a) it has received a “Uc”, “U”, “PG”, “12A”, “12”, “15” or “18” certificate of the British Board of Film Classification; or
 - (b) it is a current news-reel which has not been submitted to the British Board of Film Classification.

Full conditions are attached at Appendix 1.
- 2.2 However, condition 7 of the cinema licence conditions states a film may be exhibited, or persons or any class of persons, may be admitted thereto if the permission of the Licensing Authority is first obtained and any conditions of such permission are complied with.
- 2.3 The Committee has given approval for certain venues to show uncertificated films previously.

Background Papers

Fife Council Cinema Licensing Conditions

Report Contact

Gillian Love
Lead Officer
Miscellaneous Licensing
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CONDITIONS

1. The licence holder or the responsible manager, his deputy for the time being or occupier of the premises shall immediately communicate to the Chief Fire Officer of Fife Fire and Rescue Service any outbreak of fire, however slight.
2. All attendants on duty to assist persons entering or leaving the auditorium shall wear a distinguishing uniform, armband or badge.
3. No film shall be exhibited unless -
 - (a) it has received a "Uc", "U", "PG", "12A", "12", "15" or "18" certificate of the British Board of Film Classification; or
 - (b) it is a current news-reel which has not been submitted to the British Board of Film Classification.
4. No person under the age of 18 years shall be admitted to any exhibition at which there is to be shown any film which has received an "18" certificate from the British Board of Film Classification.
5. No person under the age of 15 years shall be admitted to any exhibition at which there is to be shown any film which has received a "15" certificate from the British Board of Film Classification.
6. No person under the age of 12 years shall be admitted to any exhibition at which there is to be shown any film which has received a "12A" certificate from the British Board of Film Classification unless they are accompanied during the showing of the film by a person of 18 years or over.
7. Notwithstanding the conditions hereinbefore contained, a film may be exhibited, or persons or any class of persons, may be admitted thereto if the permission of the Licensing Authority is first obtained and any conditions of such permission are complied with.
8. A representation or written statement of the terms of any certificate given by the British Board of Film Classification shall be shown on the screen immediately before the showing of any film to which it relates and the representation or statement shall be shown for long enough and in a form large enough for it to be read from any seat in the auditorium.
9. There shall be prominently exhibited at each public entrance whenever the premises are open to the public a notice indicating in tabular form and in clear bold letters and figures -
 - (a) the title of each film to be shown on that day, other than trailers and films of less than five minutes duration;
 - (b) the approximate times of commencement of each such films;
 - (c) whether each such film has received a "Uc", "U", "PG", "12A", "12", "15" or "18" certificate from the British Board of Film Classification.
 - (d) The effect of such "Uc", "U", "PG", "12A", "12", "15" or "18" certificates in relation to the admission of persons under the age of 18 years.
10. The nature of any certificate received in respect of a film from the British Board of Film Classification shall be clearly indicated by the letter "Uc", "U", "PG", "12A", "12", "15" or "18" in any advertisement of the film displayed at the premises.

11. No advertisement displayed at the premises of a film to be exhibited at the premises shall depict as a scene or incident in the film any scene or incident which is not included in the film as certified by the British Board of Film Classification or approved for exhibition by the Licensing Authority, as the case may be.
12. Where the Licensing Authority has given notice in writing to the licence holder of the premises objecting to an advertisement on the grounds that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that advertisement shall not be displayed at the premises except with the consent in writing of the Licensing Authority.
13. Where the Licensing Authority has given notice in writing to the licence holder of the premises prohibiting the exhibition of a film on the ground that it contains matter which, if exhibited, would offend against good taste or decency or would be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that film shall not be exhibited in the premises except with the consent in writing of the Licensing Authority.

Date: 11 March, 2025
Agenda Item No: 6

Miscellaneous Licensing - Review of Fees

Report by: Eileen Rowand, Executive Director, Finance and Corporate Services

Wards Affected: All

Purpose

The Committee is asked to approve the increases to Miscellaneous Licensing Fees effective from 1 April 2025.

Recommendation(s)

It is recommended that the Committee approves the fees detailed in Appendix 2 of this report in respect of miscellaneous licensing with effect from 1st April, 2025.

Resource Implications

None

Legal & Risk Implications

The Civic Government (Scotland) Act 1982 gives the Council as licensing authority discretion in setting fees in respect of applications for licences under the 1982 Act and requires the authority to review the fees from time to time to ensure that the total amount of fees covers their administrative expenses in processing the applications. Fees and expenditure in respect of taxi and private hire cars including drivers require to be accounted for separately from the other types of miscellaneous licensing.

Impact Assessment

An EqIA is not required as this report does not propose a change or revision to existing policies and practices.

Consultation

The Head of Finance has been consulted in respect of the proposed fee increases. Environmental Health Service has been consulted in respect of licences in which they have an involvement.

1.0 Background

- 1.1 The 1982 Act requires the Council to review fees for licence applications to ensure that the fees generally meet the costs of administering the licensing system. The fees were last reviewed by this committee on 13 February 2024 and increased with effect from 1 April 2024. Appendix 1 to this report shows the existing table of fees. Appendix 2 shows the proposed fees to be applied from 1 April 2025. Last year's report advised that it was proposed to increase the fees for both taxi/private hire car applications and miscellaneous licensing applications on an annual basis in line with the Council's policy on increases in fees.
- 1.2 In setting fees and expenses in relation to taxis and private hire cars section 12 of the 1982 Act requires the authority to seek to ensure that the total amount of such fees is sufficient to meet the expenses incurred by them in carrying out their functions in respect of taxi/private hire car licence applications. This means that the total fees received in respect of applications for licences for taxi and private hire car operators, booking offices and taxi and private hire car drivers must be broadly equivalent to the costs and expenses of administering these applications. The costs and expenses for these type of licences include the costs for inspection and testing of vehicles, provision of plates and badges, the costs of medical inspections for some drivers as well as staffing, printing and other overheads and central support costs incurred by the Council.
- 1.3 Environmental Health Service previously carried out an exercise examining the costs incurred by them in supporting the miscellaneous licensing functions of the Council. They identified that certain types of application (principally skin piercing and tattooing) required officers to visit premises sometimes on more than one occasion and that the licensing fee was not sufficient to meet the costs of these visits. Inspections are also carried out in respect of cinema licences, late hours catering licences, some street traders' licences, indoor sports entertainment licences, public entertainment licences and market operators' licences.

2.0 Issues and Options

- 2.1 The Head of Finance and the Head of Legal Services have over the past few months carried out a detailed accounting exercise to identify the costs incurred in administering the taxi/private hire car applications including drivers, as well as the fee income. The total cost and expenditure statement is attached as Appendix 3 and shows that the expenditure exceeds the fee

income by £34,760. The proposed increases in fees for taxi/private hire cars of 5% as listed in Appendix 2 have been calculated to ensure as far as possible that the total fee income for taxi applications in the forthcoming financial year meets the costs and expenditure of administering the scheme of licensing for taxis.

- 2.2 Environmental Health have advised that they are increasing their inspection fees by 5% in April, these new charges are detailed in the report.
- 2.3 In addition to the inspection fees set out in the foregoing paragraphs, it is proposed to increase the fees for miscellaneous licensing (other than taxis/private hire cars) by 5%, as shown in Appendix 2. The increase will meet increases in staffing and other costs over this period.
- 2.4 The Miscellaneous Licensing Team, up until 2024, carried out a number of additional administration tasks that took a considerable amount of time without charge. It is proposed that the admin fees introduced in 2024 for each of these tasks, as listed in Appendix 1 remain the same.
- 2.5 Fleet Operations have advised that they are increasing two of their fees in relation to taxis and introducing a new fee for resealing meters which was previously without charge. These are listed in Appendix 2.
- 2.6 As mentioned in paragraph 1.1 above, it is proposed to increase the fees for both taxi/private hire car applications and miscellaneous licensing applications on an annual basis in line with the Council's policy on increases in fees.

3.0 Conclusions

The increase in fees for taxi and private hire car licensing including drivers and booking offices is required to ensure that the total fees received cover the costs of administering the licensing regime. The increase in relation to the remaining miscellaneous licensing in the remit of this committee is reasonable and proportionate and will contribute to the aim of ensuring that the fee income meets in full the cost of administering the miscellaneous licensing system.

APPENDICES

Appendix 1 – List of Current Fees from 1 April 2024

Appendix 2 – List of Proposed Fees from 1 April 2025

Appendix 3 – Total Cost Statement for Taxi/Private Hire Car Licensing

Background Papers

- None.

Report Contact

Gillian Love
Finance and Corporate Services
Telephone: 03451 55 55 55 442170 Email – gillian.love@fife.gov.uk

List of Approved Fees from 1/4/24	Period [Years]	Remarks	APPENDIX 1
Activity			
		£	
Taxi Operator	1	242	
	3	556	
Private Hire Car Operator	1	242	
	3	556	
Taxi/Private Hire Car Booking Office	3	567	
Taxi/Private Hire Driver	1	72	
	3	176	
Second Hand Dealer	3	176	
Metal Dealer	3	385	
Itinerant Metal Dealer	3	385	
Boat Hire	1	72	
	3	176	
Street Trader	1	72 (£103 separate fee for cert. of comp.)	
	3	176 (£103 separate fee for cert. of comp.)	
Market Operator	1	193	
	3	484	

Public Entertainment	3	176
Indoor Sports Entertainment	3	176
Late Hours Catering/Variation	3	273 (inc. £31 Environmental Health fee)
Window Cleaner	1	72
	3	176
Sex Shop	3	429
Skin Piercing & Tattooing	3	173 (inc. £52 inspection fee - applies to ear piercing only)
		224 (inc. £103 inspection fee - all others)
Knife Dealers	3	556
Cinema	1	283 (inc. £52 inspection fee - 1-3 screens)
		334 (inc. £103 inspection fee - 4 + screens)
Temporary Licences	6 weeks or less	44 (Taxi Drivers & Window Cleaners)
	6 weeks or less	55 (all other activities)
New Admin fees		

Substitution of taxi or private hire	Each vehicle	30
Partnership additions – taxis or private hire	Each vehicle	30
Street Trader – new or additional locations, substitute vehicles or certificates of compliance only	Each service	30
Duplicate licence	Per licence	10

List of Approved Fees from 1/4/25

APPENDIX 2

Activity	Period [Years]	£	Remarks
Taxi Operator	1	254	
	3	584	
Private Hire Car Operator	1	254	
	3	584	
Taxi/Private Hire Car Booking Office	3	595	
Taxi/Private Hire Driver	1	76	
	3	185	
Second Hand Dealer	3	185	
Metal Dealer	3	404	
Itinerant Metal Dealer	3	404	
Boat Hire	1	76	
	3	185	
Street Trader	1	76	(£108 separate fee for cert. of comp.)
	3	185	(£108 separate fee for cert. of comp.)
Market Operator	1	203	
	3	508	
Public Entertainment	3	185	
Indoor Sports Entertainment	3	185	

Late Hours Catering/Variation	3	287 (inc. £33 Environmental Health fee)
Window Cleaner	1	76
	3	185
Sex Shop	3	450
Skin Piercing & Tattooing	3	182 (inc. £55 inspection fee - applies to ear piercing only)
		235 (inc. £108 inspection fee - all others)
Knife Dealers	3	584
Cinema	1	297 (inc. £55 inspection fee - 1-3 screens)
		351 (inc. £108 inspection fee - 4 + screens)
Temporary Licences	6 weeks or less	46 (Taxi Drivers & Window Cleaners)
	6 weeks or less	58 (all other activities)
Fleet Admin new fees		
Failure to attend annual test appointments	Each vehicle	15
Failure to collect licence plates	Each vehicle	15
Resealing of meters	Each vehicle	15

Legal Services - Taxi Licensing Total Cost Statement

APPENDIX 3

	2023 -24
	£
Income	
Licensing Income	-251,916
	-251,916
Expenditure	
Staff Costs	182,596
Transport Costs	51,607
Supplies & Services	10,740
Central Support Costs	41,733
	286,676
(Surplus)/Deficit	34,760