

THE FIFE COUNCIL - REGULATION AND LICENSING COMMITTEE - GLENROTHES

4th October, 2022

9.30 a.m. – 11.25 a.m.

PRESENT: Councillors Tom Adams (Convener), Lynn Ballantyne-Wardlaw, Patrick Browne, Gavin Ellis, Alycia Hayes, Carol Lindsay, Donald Lothian, Lea McLelland, David MacDiarmid, Julie MacDougall, John O'Brien, Nicola Patrick, Gordon Pryde, Jonny Tepp and Darren Watt.

ATTENDING: Neil MacDonald, Litigation and Licensing Team Manager, 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).

24. **MINUTE**

The Committee considered the Minute of Meeting of the Regulation and Licensing Committee of 6th September, 2022.

Decision

The Committee approved the Minute.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

25. **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 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.

26. **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 & Period of Licence Applied For</u>
(a)	Gillian Aitken	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 final opportunity to appear.

(b)/

2022.R.L.23

	<u>Applicant</u>	<u>Activity & Period of Licence Applied For</u>
(b)	Tomas Kristof	Taxi Driver (new application) 1 year

Decision

The Committee agreed to refuse the licence.

(c)	Steven To	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.

(d)	Karen Whittle	Vehicle Operator – P035 – Levenmouth Zone (renewal) 1 year
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Decision

The Committee agreed to continue consideration of the above application to the meeting held on 6th December, 2022 to afford the applicant's representatives extra time to produce further information in relation to the application.

(e)	Thomas and Karen Whittle	Vehicle Operator – P027 – Levenmouth Zone (renewal) 1 year
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Decision

The Committee agreed to continue consideration of the above application to the meeting held on 6th December, 2022 to afford the applicant's representatives extra time to produce further information in relation to the application.

The applicants had been invited to attend and be represented at the meeting and with the exception of the applicants at (a), (b) and (c) were present and heard. The applicants at (d) and (e) were represented by Andrew Murphy, Advocate and John Paul Gallacher, Solicitor, Glasgow.

Consideration/

2022.R.L.24

Consideration of the applications at (a) and (b) above was continued from the meeting held on 6th September, 2022.

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 previous incidents he had been involved in.

27. **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 thereon, dealt with the applications as shown:-

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

Motion

Councillor Gavin Ellis, seconded by Councillor Gordon Pryde, moved that the licence be refused.

Amendment

Councillor Carol Lindsay, seconded by Councillor Lea McLelland, moved, as an Amendment, that the licence be granted with a warning.

Vote

Amendment	-	9
Motion	-	6

Decision

The Committee agreed to grant the licence with a warning.

(b)	Kenneth Swankie	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)/

2022.R.L.25

<u>Applicant</u>	<u>Activity and period of licence applied for</u>
(c) Daniel Watson	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.

The applicants and objector 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.

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.
