Special Meeting Regulation and Licensing Committee

Council Chamber (FHM06.001), 6th Floor, Fife House, North Street, Glenrothes

Tuesday, 22 September 2026 - 9.30 a.m.

AGENDA

Page Nos.

1. APOLOGIES

2. DECLARATIONS OF INTEREST – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.

3. OPPOSED APPLICATION FOR GRANT OF A BOOKING OFFICE LICENCE - UBER SCOT LIMITED - (NEW APPLICATION) 2 - 138

Consideration of a new application for a Booking Office Licence where objections have been received in terms of Schedule 1 of the Civic Government (Scotland) Act 1982.

Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.

Lindsay Thomson
Head of Legal and Democratic Services
Finance and Corporate Services

Fife House
North Street
Glenrothes
Fife, KY7 5LT

15 September 2026

If telephoning, please ask for:
Tom Brown, Lead Officer, Fife House 06 (Main Building)
Telephone: 03451 555555, ext. 476117; email: Tom.Brown@fife.gov.uk

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

BOOKING OFFICE APPLICATION

SPECIAL REGULATION & LICENSING COMMITTEE – 22.9.26

TYPE OF APPLICATION: GRANT OF A TAXI & PHC BOOKING OFFICE LICENCE

APPLICANT: UBER Scot, Limited.

1. PURPOSE

1.1 This Report relates and pertains to a formal application by UBER in relation to the grant of a Taxi Booking Office Licence under and in terms of The Civic Government (Scotland) Act 1982 (Licensing of Booking Offices Order 2009 (the "2009 Order").

1.2 The relevant premises referred to in the Application are located at Rosyth Business Centre, Unit 18, 16 Cromarty Campus, KY11 2WX (hereinafter referred to as "the premises").

1.3 The application was submitted on 23rd January 2026 and requires to be determined by 22nd October 2026.

1.4 Formal notice as required by the 2009 Order was displayed within the premises for the period 23rd January 2026 to 20th February 2026.

2. BACKGROUND

2.1 The 2009 Order (reproduced as Appendix 1) requires licensing authorities to licence the use of premises used for the taking of bookings for taxis and private hire cars in the interests of public safety and crime prevention.

2.2 The 2009 Order provides that booking offices (those which take bookings for 4 or more relevant vehicles i.e. taxis or private hire cars licenced under Section 10 of the Civic Government (Scotland) Act 1982 (the "1982 Act")) must hold a booking office licence issued by the local authority in which area the premises are located.

2.3 The 2009 Order prescribes several licensing conditions which authorities are required to attach to the grant or renewal of a booking office licence. These conditions require that a record is kept of all bookings taken and that that record should include the registration number of the vehicle and the name of the driver fulfilling the hire. The licence holder is also required to take all reasonable steps to ensure that any vehicle and driver used to fulfil a hire is appropriately licensed under the 1982 Act. The Fife Council approved standard booking office licence conditions are reproduced as Appendix 2.

2.4 The legislation does not set out to be overly prescriptive as to conditions that might be applied to licences. Licensing authorities, however, may in terms of paragraph 5 to Schedule 1 of the 1982 Act attach such other reasonable licensing conditions as they consider appropriate having regard to local circumstances and their own legal advice.

2.5 In terms of the determination of a booking office licence, the 2009 Order applies Part 1 of the 1982 Act (including Schedule 1) with certain modifications.

3. ISSUES AND OPTIONS

3.1 In terms of the application, the Chief Constable, Police Scotland was consulted on 28/4/26. The Chief Constable's formal response is reproduced as Appendix 3.

3.2 In response to the public notice/consultation period referred to at paragraph 1.4 above, 431 responses were timeously received, of which comprise objections. The representations form Appendix 4 and are respectfully referred to for their terms.

3.3 Committee are respectfully requested to determine the application.

List of Appendices

1. The Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009.
2. Fife Council adopted standard licensing conditions for taxi booking offices.
3. Consultation response from Chief Constable, Police Scotland.
4. Written representations from various taxi operators/associations/others.

Background Papers

. The Civic Government (Scotland) Act 1982 as amended.

. Taxi and Private Hire Car Licensing – Best Practice for Licensing Authorities and Taxi and Private Hire Car Operators 3rd Edition – Scottish Government, May 2023.

Date 22nd September 2026

Agenda No. 3

Opposed Application for grant of a Booking Office Licence - Uber Scot Limited (New Application)

Consideration of a new application for a Booking Office Licence Licence where objections have been received in terms of Schedule 1 of the Civic Government (Scotland) Act 1982.

Licence No._____

FIFE COUNCIL
CIVIC GOVERNMENT (SCOTLAND) ACT 1982
(LICENSING OF BOOKING OFFICES) ORDER 2009
APPLICATION FOR GRANT/RENEWAL OF A BOOKING OFFICE LICENCE

ANSWER EITHER QUESTION 1 OR 2 AND EVERY OTHER QUESTION

1. Individual Application

(a) Full Name (Block Letters)	Surname	Maiden Name	First Name(s)	
(b) Home Address (incl. Postcode)			Telephone Numbers	
			Daytime: Mobile:	
	E-mail:			
(c) Previous addresses in past 5 years				
(d) Age, Date and Place of Birth	Age	Date of Birth	Place of Birth	
(e) Give name and address of any person, company or firm employing you to trade, or state if self-employed.				
(f) Is applicant to carry out day-to-day management of the business?	YES / NO			
(g) If not, give full name, address and date of birth of any employee or agent so engaged to do so.	Name: Address: Date of Birth: Previous Addresses in the past 5 years:			

2. Company/Partnership Application

(a) Full Name of Company/Partnership	Uber Scot Limited
(b) Registered/Principal Office	Office 2.20, 83 Princes Street, Edinburgh, Lothian Region, Scotland, EH2 2ER
(c) Names, Private Addresses and Dates of Birth of Directors, Partners and any Persons Responsible for Management. (continue on separate sheet if necessary)	Name: Address: D. O. B. [redacted]

(d) Day-to-Day Manager	Surname	Maiden Name	First Name(s)
	[redacted]		[redacted]
Home Address	[redacted]	Telephone No: [redacted] Daytime: - For Council Use Only Mobile:	
	E-mail: [redacted]		
Previous Addresses in the past 5 years	Same address for the past 5 years: [redacted]		
Age, Date & Place of Birth	Age: [redacted]	Date of Birth: [redacted]	Place of Birth: [redacted]

For all Applications

3. State the full address and postcode of the premises for which the licence is required.	Rosyth Business Centre, Unit 18, 16 Cromarty Campus KY11 2WX
4. State the hours and days of the week during which the premises will operate.	24/7
5. State whether there is public access to the premises for booking vehicles.	YES / NO
6. How many vehicles are booked or operated from these premises?	N/A - Bookings through app only
7. Specify exactly (with a map/plan if necessary) where these vehicles are kept when not on a hire? (including parking temporarily or otherwise)	N/A - Bookings through app only
8. Current / Previous Licence Has any person named in 1 or 2 above previously or do they currently hold a Booking Office Licence? If YES (i) When was the licence granted? (ii) When did/does it expire? (iii) Which Council granted the licence? Has any person named in 1 or 2 above ever been refused a Booking Office Licence? If YES (iv) When was it refused? (v) Which Council refused the licence?	YES / NO (i) Please see supporting documentation. (ii) (iii) YES / NO (iv) Please see supporting documentation. (v)
9. Has any person named in 1 or 2 above ever resided outwith the United Kingdom?	YES / NO (IF THE ANSWER TO THIS QUESTION IS "YES" PLEASE SUBMIT ON A SEPARATE SHEET OF PAPER DETAILS AND DATES OF ALL OTHER COUNTRIES OF RESIDENCE).

DECLARATION

(i) I/We declare that I/we shall, for a period of 21 days **commencing from the lodging date of this application**, display at or near the premises so that it can be conveniently read by the public, a notice (form BO2) intimating that I/we have applied for this licence and that objections thereto may be lodged with Fife Council.

(ii) I/We declare that I/we are unable to display a notice of this application at or near the premises because I/we have no rights of access or other rights enabling me/us to do so, but that I/we have taken the following steps to acquire the necessary rights, namely

but have been unable to acquire those rights.

Where declaration (i) is made, there must be submitted to the Licensing Team as soon as possible after the 21 day period a Certificate of Compliance (form BO3) with paragraph 2(2) of Schedule 1 to the Civic Government (Scotland) Act 1982.

How we use your information
The information provided by you on this form will be used by Fife Council in order to process your application. It will be shared with Police Scotland (Fife Division) and may be circulated to The Scottish Fire and Rescue Service, The Home Office as well as the relevant Council Services for their statutory interests. Information may also be obtained from those mentioned above. Further information on how your information is used, and why, can be found here: Miscellaneous Licence | Fife Council The Council's Data Protection Officer can be contacted on: dataprotection@fife.gov.uk

I/We declare that the particulars given by me/us on this form are true, and hereby make application to Fife Council for Grant/Renewal of the licence applied for. I/We have received, read and understood the conditions relating to this type of licence.

Date 23 January 2026 Signature [redacted]

N.B. Any person who in, or in connection with, the making of this application makes any statement which he knows to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £2,500.

Application fees are non-refundable and are currently set at £595 for a 3 year licence.

Your application will not be processed until payment has been made by credit or debit card.

Payment process is at this link: Taxi & Private Hire Licences | Fife Council

Your application must be lodged by email at: Misc.licensing@fife.gov.uk

Date 22nd September 2026

Agenda No. 3

Appendix 1

Appendix 1 – Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009

SCOTTISH STATUTORY INSTRUMENTS

2009 No. 145

LICENCES AND LICENSING

The Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009

Made	*2nd April 2009*
Coming into force	*3rd April 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 44(1)(b) and (2) of the Civic Government (Scotland) Act 1982(1) and all other powers enabling them to do so.

In accordance with section 44(3) of that Act, a draft of this Order has been laid before and approved by resolution of the Scottish Parliament.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009 and comes into force on the day after the day on which it is made.

(2) In this Order–

"the Act" means the Civic Government (Scotland) Act 1982;

"relevant premises" means the premises in relation to which a licence has been granted by virtue of article 2; and

"relevant vehicle" means a vehicle in relation to which a taxi licence or private hire car licence has been granted in terms of section 10 of the Act(2) and that licence is in effect.

Licensing of booking offices

2.—(1) The activity specified in paragraph (2) is designated as an activity for which a licence under Part I of the Act shall be required, but no such licence shall be required–

(a) in respect of the carrying on of that activity before 16th November 2009; or

(b) where the number of relevant vehicles in respect of which bookings are taken does not at any time exceed 3.

(2) The activity referred to in paragraph (1) is the use of premises for the carrying on of a business which consists to any extent of the taking of bookings, by any means of communication, from members of the public for the hire of a relevant vehicle.

Application of Part I of the Act

3. Part I of the Act shall have effect, subject to the modifications specified in the Schedule, for the purposes of the licensing of the activity designated by article 2.

Transitional provision

4.—(1) A person who on or after 16th November 2009 carries on the activity designated by article 2 without a licence under Part I of the Act shall not be guilty of an offence under section 7(1) of the Act(**3**) if–

(a) that person made an application to the licensing authority before that date for the grant of a licence under Part I of the Act in respect of the activity being carried on by the person; and

(b) that application has not yet been finally determined.

(2) For the purposes of paragraph (1)(b), an application is finally determined–

(a) when it is withdrawn by the applicant;

(b) when it is refused by the licensing authority and the period of 28 days specified in paragraph 18(4) of Schedule 1 to the Act expires without an appeal against the refusal being made to the sheriff; or

(c) in a case where an appeal is made against a refusal by the licensing authority, when that appeal is disposed of.

(3) For the purposes of paragraph (2)(c), an appeal is disposed of–

(a) when it is abandoned by the appellant; or

(b) when a decision on it is made by the sheriff or a higher court and any period for making a subsequent appeal to a higher court expires without such a subsequent appeal being made.

STEWART STEVENSON
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
2nd April 2009

SCHEDULE

Article 3

APPLICATION OF PART I OF THE ACT

1. Part I of the Act shall have effect subject to the modifications in paragraphs 2 to 5 of this Schedule.

2. In section 6 (powers of entry to and search of unlicensed premises)–

(a) in subsections (1) and (2), after "constable" in each place insert "(or any authorised officer of the licensing authority)";

(b) in subsection (3)–

(i) after "uniform" insert "(and where the person executing the warrant is an authorised officer of a licensing authority, that officer)"; and

(ii) after "constable" where it second occurs insert "(or such authorised officer of the licensing authority)"; and

(c) in subsection (4)(**4**)–

(i) after "constable" where it first occurs insert "(or authorised officer of the licensing authority)"; and

(ii) after "constable" where it second occurs insert "(or such authorised officer)".

3. In paragraph 5 (disposal of applications for the grant and renewal of licences) of Schedule 1(**5**)–

(a) in sub-paragraph (1)(a), for "unconditionally" substitute "subject to the mandatory conditions specified in sub-paragraph (1A) below";

(b) in sub-paragraph (1)(b), for "conditions" substitute "those mandatory conditions and such conditions as are specified in sub-paragraph (2) below"; and

(c) after sub-paragraph (1), insert–

"(1A) The mandatory conditions referred to in sub-paragraph (1)(a) above are–

(a) that a record be kept of every booking for the hire of a relevant vehicle taken at the relevant premises;

(b) that a record be kept of–

(i) the registration number of the vehicle which was hired as the result of a booking taken at the relevant premises; and

(ii) the name of its driver at the time of that hire; and

(c) that the holder of the licence shall take all reasonable steps to ensure that any booking taken at the relevant premises from a member of the public for the hire of a relevant vehicle results in the hire of a vehicle which is–

(i) a relevant vehicle; and

(ii) being driven by a person who holds a licence granted under section 13 of the Act(**6**) and that licence is in effect.".

4. After paragraph 19 (interpretation) of Schedule 1 insert–

"**20.** In this Schedule, "relevant premises" and "relevant vehicle" have the same meaning as in the Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009.".

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the use of premises for the carrying on of a business, part of which consists of taking bookings from members of the public for the hire of taxis or private hire cars, as an activity for which a licence is required under the Civic Government (Scotland) Act 1982 ("the Act") (article 2). The licensing regime does not apply if the number of vehicles for which bookings are taken is less than 4.

The licensing provisions in Part I of the Act (including Schedule 1) will apply to such licences with the modifications set out in the Schedule to the Order–

(a) granting a power to search unlicensed premises to authorised officers of the licensing authority (paragraph 2);

(b) attaching certain mandatory conditions to the grant or renewal of licences relating to records of bookings taken (paragraph 3); and

(c) providing additional definitions in Schedule 1 to the Act (paragraph 5).

The Order requires the designated activity to be licensed from 16th November 2009 but transitional provision is made where an application is made before that date for the grant of an appropriate licence (article 4). In such a case, the activity may be carried on (without a licence) until the licensing authority has made a decision on the licence and, where a decision to refuse an application is then appealed, until that appeal has been disposed of.

A regulatory impact assessment has been prepared in respect of this Order. A copy of it can be obtained from the Scottish Government Transport Directorate, Victoria Quay, Edinburgh, EH6 6QQ. A copy has also been published on the Scottish Executive web site at www.scotland.gov.uk.

(**1**) 1982 c. 45; the functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) Section 10 was amended by the Transport Act 1985 (c. 67), Schedule 7, paragraph 23(5).

(**3**) Section 7(1) was amended by the Entertainments (Increased Penalties) Act 1990 (c. 20), section 2(1); the reference in section 7(1) to a fine not exceeding £500 became a reference to a fine not exceeding level 4 on the standard scale by virtue of section 289G of the Criminal Procedure (Scotland) Act 1975 (c. 21), which section by consolidation became section 225 of the Criminal Procedure (Scotland) Act 1995 (c. 46).

(**4**) The reference in section 6(4) to a fine not exceeding £200 became a reference to a fine not exceeding level 3 on the standard scale by virtue of section 289G of the Criminal Procedure (Scotland) Act 1975 (c. 21), which section

by consolidation became section 225 of the Criminal Procedure (Scotland) Act 1995 (c. 46).

(5) Paragraph 5 of Schedule 1 was amended by S.S.I. 2005/383 and S.S.I. 2006/475.

(6) Section 13 was repealed in part by the Roads (Scotland) Act 1984 (c. 54), Schedule 11.

Date 22nd September 2026

Agenda No. 3

Appendix 2

Appendix 2 – Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009. Booking Office Licence Conditions.

Guidance Notes for Applicants
Booking Office Licence

Introduction
This guidance is provided for your information only and is not prepared as a substitute for any independent legal advice. If this is required you should contact your solicitor.

A Booking Office licence is required for the use of premises for the carrying on of a business which consists to any extent of the taking bookings, by means of communication, from members of the public for the hire of a vehicle which is a licensed taxi or private hire car. Premises are exempt from a Booking Office Licence if the number of vehicles in respect of which bookings are taken does not exceed 3 at any time.

Application

Application fees are non-refundable. You can apply for a 3 year licence.

Your application will not be processed until payment has been made by credit or debit card.

The application can be downloaded at this link: Taxi & Private Hire Licences | Fife Council

Please note that if you apply as a company or partnership then you will have to provide details of the day-to-day manager. You should be aware that the day-to-day manager is a joint licenceholder and as such if they cease to be so at any time within the duration of the licence then a new application with the applicable fee will be required.

Register of Applications
Fife Council will keep a register of applications in which it will enter the date of receipt, the name and address of the applicant, the decision, the issue date and duration of the licence, and a note of any suspension, variation or surrender of the licence. This information is available for inspection by any member of the public.

Notification to the Public:- The Civic Government (Scotland) Act 1982 requires that all licence applications involving premises are notified to members of the public. As part of the application process for this type of licence, you must display a completed notice of application (form BO2) in a prominent place at your premises. This must be displayed for a period of 21 days starting on the day that the application is submitted to Fife Council. Once the 21 day period has passed, the certificate of compliance declaration (form BO3) must be completed, dated and returned by email to Misc.licensing@fife.gov.uk

Application Process
The Civic Government (Scotland) Act 1982, prohibits the Council from making a decision on your application until a minimum of 28 days has passed from the date of application. During this time any person can object to your application.

Applications will be copied to Police Scotland (Fife Division) and the relevant Council Services. On receipt of a reply from these consultees the licence will either be granted by the Licensing Team, or where there are any representations or objections to an application, the application will be considered at a meeting of the Regulation & Licensing Committee, to which the applicant and any objectors will be invited to attend.

The majority of applications with no representations or objections will take 4-6 weeks to process, however applications that are to be considered by the Regulation & Licensing Committee will take longer to determine. The Council has a maximum of 9 months from the date of application within which to make its decision.

Previous Convictions
A full police record check is undertaken for all applicants and Police Scotland (Fife Division) may report on any incidents applicants have been involved in which required Police assistance. This may include incidents that have not reached the Court, incidents resulting in “no proceedings” by the Court and any outstanding Court cases. The provisions of the Rehabilitation of Offenders Act 1974 apply to convictions.

Refusal
You will be informed of the Regulation & Licensing Committee's decision, in writing, within 7 days of the date of the hearing. If your application has been refused you may appeal against the decision, to Kirkcaldy Sheriff Court, within 28 days of the date of the decision.

If you have been refused Fife Council will not entertain a subsequent application, within one year of the refusal, for the same type of licence unless in its opinion there has been, since the refusal, a material change of circumstances.

Conditions of Licence
A copy of the standard conditions applicable to this licence is attached. Fife Council requires all licenceholders to have a thorough understanding of these conditions. The Committee can, if it wishes, impose additional conditions and can grant the licence for a shorter period than that applied for.

Renewal Applications
If an application for the renewal of a licence is made before its expiry, the existing licence shall continue to have effect until, the renewal of licence has been granted or where the Council has refused that application, the time within which an appeal against the decision can be lodged has elapsed or, where such an appeal has been lodged, the time when it has been abandoned or determined.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF BOOKING OFFICES) ORDER 2009 BOOKING OFFICE LICENCE CONDITIONS

1. A record has to be kept of every booking for the hire of a vehicle taken at the premises.

2. A record has to be kept of:-
   (a) the registration number of the vehicle which was hired as a result of the booking being taken at the premises;
   (b) the name of its driver at the time of that hire.

3. The licenceholder shall make the records available for inspection at any reasonable time to the Licensing Authority and such records must be kept for a period of 3 years.

4. The licenceholder shall take all reasonable steps to ensure that any booking taken at the premises from a member of the public for the hire of a vehicle results in the hire of a vehicle which:-
   (a) is a licensed taxi or private hire car; and
   (b) is being driven by a person who holds a current taxi or private hire car driver's licence.

FIFE COUNCIL

Civic Government (Scotland) Act 1982

NOTICE OF APPLICATION – LICENSING OF BOOKING OFFICES

NOTICE IS HEREBY GIVEN that application has been made on (date)_____

to Fife Council for a Booking Office Licence in respect of premises at

(address)_____

Days and Times of Operation _____

by Name of Applicant / Business - _____

Address - _____

_____

_____

Day to Day Manager - _____

Address - _____

_____

_____

OBJECTIONS AND REPRESENTATIONS

Any objections and representations in relation to the application may be made to Fife Council, Licensing Team, Finance & Corporate Services, Fife House, North Street, Glenrothes generally within 28 days of the abovementioned date. Objections and representations should be made in accordance with the following provisions, namely:-

1. Any objection or representation relating to an application for the grant or renewal of a licence will be entertained by the Council if, but only if, the objection or representation -
   - (a) is in writing;
   - (b) specifies the grounds of the objection or, as the case may be, the nature of the representation;
   - (c) specifies the name and address of the person making it;
   - (d) is signed by him or her or on their behalf;
   - (e) is made to the Council within 28 days of whichever is the later or latest of the following dates -
     - (i) where public notice of the application was advertised in a newspaper, the date when it was first so advertised;
     - (ii) where the Council has required the applicant to display the Notice for a second time, the date the Council specified in the second notice;
     - (iii) in any other case, the date when the application was made to the Council.
2. Notwithstanding 1. (e) above, it shall be competent for the Council to entertain an objection or representation received by it before it takes a final decision on the application if it is satisfied that there is sufficient reason why the objection or representation was not made in the time required.
3. An objection or representation shall be made for the purposes of 1. above if it is delivered by hand, within the time limit specified, to the Council or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered within that time.

Any objection / representation submitted to the Licensing Team will be copied in full to the applicant. It is likely that the person making the objection / representation will be invited to attend the Regulation & Licensing Committee to speak in support of their objection / representation prior to the application being determined.

PLEASE NOTE THIS DECLARATION SHOULD ONLY BE COMPLETED AND RETURNED TO FIFE COUNCIL ONCE THE NOTICE OF APPLICATION BO2 HAS BEEN DISPLAYED FOR THE 21 DAY PERIOD.

FIFE COUNCIL
CIVIC GOVERNMENT (SCOTLAND) ACT 1982
BOOKING OFFICE LICENCE
CERTIFICATE OF COMPLIANCE

I,_____

applicant for a Booking Office Licence, hereby certify that a Notice has been posted at or near

the premises at_____

_____

_____

from (date)_____ to (date)_____

containing such information as is required by paragraph 2(3) of Schedule 1 to the above Act.

* Where the said Notice was removed, obscured or defaced during the above-mentioned period, I took reasonable steps for its protection and replacement as follows:-
(give details and circumstances)

Date_____ Signature_____

* Delete if not applicable

Date 22nd September 2026

Agenda No. 3

Appendix 3

Appendix 3 – Chief Constable – No Objections

From:

To:

Subject: FW: Application: LACC/0054453 : Uber Scot Limited : Booking Office : New : West NO OBJECTIONS

-----Original Message-----

-----Original Message-----
From:
Sent: 28 April 2026 11:19
To: Misc Licensing <Misc.Licensing@fife.gov.uk>
Subject: Application: LACC/0054453 : Uber Scot Limited : Booking Office : New : West NO OBJECTIONS

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

This email was scanned by Fife Council

Date 22nd September 2026

Agenda No. 3

Appendix 4

Appendix 4 – Written Representations

From:
To: Misc Licensing
Subject: Objection to Booking Office License Application - Rosyth Business Centre (Uber Scot Limited)
Date: 11 February 2026 03:33:07

To: Licensing Team
Fife Council
Fife House
North Street
Glenrothes

Dear Sir/Madam,

I write to formally object to the application submitted by Uber Scot Limited for a Booking Office Licence in respect of premises at Rosyth Business Centre, Unit 18, 16 Cromarty Campus, KY11 2WX (application dated 23 January 2026).

My objection is based on concerns relating to regulatory fairness, public safety, and consistency of standards.

Licensed taxi operators and drivers within Fife are required to adhere to strict conditions, including capped taxi plate numbers, vehicle testing standards, licensing fees, insurance requirements, police and background checks, and ongoing compliance monitoring. These measures are in place to protect public safety and to ensure proper regulation of the trade.

Taxi plate numbers in Fife are restricted and capped. This has a direct impact on the livelihoods and investment of existing licence holders, who operate within a controlled and limited system determined by the Council.

I am therefore concerned whether the approval of this Booking Office Licence will result in the issuing of an unlimited number of private hire ("white") plates. If there is no cap or limitation applied, this would create a two-tier system where one sector of the trade operates under numerical restriction while another is permitted to expand without limit.

This raises serious concerns about fairness, proportionality, and consistency in licensing policy.

In particular, I ask the Committee to consider:

- Whether all drivers operating under this booking office will be subject to the same police checks, safeguarding requirements, and ongoing vetting as locally licensed taxi drivers.
- Whether vehicles will be subject to identical testing, inspection, and compliance standards.
- Whether the Council intends to apply any numerical control to private hire plates linked to this operation.
- The economic impact on existing licensed taxi operators who have invested in capped plates under the current regulatory framework.

Public safety and regulatory consistency must remain paramount. A licensing system that caps one sector of the trade while allowing another to operate without similar restriction risks undermining fairness and confidence in the Council's licensing regime.

I respectfully request that this objection be fully considered by the Licensing Committee before any decision is made.

Yours faithfully,

001 - Objection to Booking Office License Application - Template 1.

Signatories to this template:

001-1	Steven Anderson, Club Cars
001-2	Trudy Anderson, Club Cars
001-3	Edward Kane, Platinum Cabs
001-4	Sarah Ro-Jackson
001-5	Patryk Libiszewski
001-6	Sean Murphy
001-7	Susan Morrison
001-8	David Cavin
001-9	Frank Bissett
001-10	W. Schubel
001-11	Samantha Blaney
001-12	Allun Wright
001-13	Alan Muir
001-14	Paul Muir
001-15	Tariq Mahmood
001-16	Grzegorz Laska
001-17	Ewen MacDonald

From:
To: Misc Licensing
Subject: Objection – Booking Office Licence Application Uber Scot Limited
Date:

Dear Sir/Madam,

I, hereby submit a formal objection under Schedule 1, paragraph 3 of the Civic Government (Scotland) Act 1982.

This objection is made within the statutory period and specifies the following grounds.

Fit and Proper Person – Schedule 1, paragraph 5(3)(a)

The Licensing Authority must refuse the application if, in its opinion, the applicant is not a fit and proper person to hold the licence.

The applicant is part of a corporate structure which has previously been found by Transport for London to be not fit and proper to hold a private hire operator licence due to serious safety and compliance failures. These included failures in driver identity verification and regulatory control.

Given that booking offices are the gateway to vehicle dispatch and passenger safety, I am not satisfied that the applicant has demonstrated the standard of control and accountability required for this licensing area.

Public Safety and Suitability of Premises – Schedule 1, paragraph 5(3)(c)

The Licensing Authority must refuse the application where the premises are not suitable or convenient having regard to public safety.

The proposed operation appears to rely primarily on a remote, app-based dispatch system, with limited evidence of genuine local management and oversight. It is unclear whether there will be meaningful on-site supervision within Fife.

If operational control is exercised remotely and enforcement access is dependent on systems outside the Authority's direct reach, this raises legitimate concerns about suitability and public safety.

Management and Regulatory Oversight – Schedule 1, paragraph 5(3)(b) and (d)

There is a real question as to whether the booking office would in practice be managed locally, or for the benefit of corporate entities outside Fife's jurisdiction.

Where effective local accountability is absent, this undermines the integrity of the Civic Government (Scotland) Act 1982 licensing regime and constitutes good reason for refusal.

Protection of the Local Licensing Regime

The booking office licence is not a formality. It is a statutory safeguard designed to ensure

that only properly licensed drivers and vehicles are dispatched within the licensing area.

Any model which makes enforcement materially more difficult, reduces transparency, or weakens local control risks undermining public confidence and passenger safety.

Conclusion

For the reasons stated above, I respectfully request that Fife Council refuse this application in terms of Schedule 1, paragraph 5(3) of the Civic Government (Scotland) Act 1982.
XXXXX

Name: XXXXX
Address: XXXXXXX
Email: XXXXXX

Objection to Booking Office Licence Uber Scot Limited - (on behalf of East Fife Taxi Association) - Template 2

Signatories:

002 -1	James Glen (on behalf of East Fife Taxi Association)
002-2	Craig Ingram
002-3	Kayleigh Loosemore
002-4	Pico Christiansen
002-5	David Anderson
002-6	Joefrey Barredo
002-7	Scott Hill
002-8	Lauren Stewart
002-9	Claire Staszek
002-10	Rebecca Butcher
002-11	Marie McGuinness
002-12	Gordon Smith
002-13	Kevin Foote
002-14	Mikolaj Ogrodnik
002-15	Amyrose Glen
002-16	George Wilkie
002-17	Stacey Robertson
002-18	Joel Robertson
002-19	Brian Buchanan
002-20	Linda Holt
002-21	Amy Buchanan
002-22	Scott Loosemore
002-23	Daniel Hickey
002-24	Klaudia Pirie

002-25	Dawn Stewart
002-26	Lyndsey Jobson
002-27	Tahir Ali
002-28	Michael Snedker
002-29	Ashley Drummond
002-30	Robert Gregory
002-31	Keith Millar
002-32	George Dick
002-33	Jane Anderson
002-34	Mike Allan
002-35	Lynn Tindal
002-36	Jake May
002-37	Samantha Hunter
002-38	Sarah Burnside
002-39	Brian Mead
002-40	Paul Mapstone
002-41	Morag Fraser
002-42	Debbie Mapstone
002-43	Muhammad Musharaf
002-44	Zdenek Swaczyna
002-45	John Rogers
002-46	Claire Adams
002-47	Darren Arnott
002-48	Scott Johnstone
002-49	Razwan Mohammed
002-50	James Hills
002-51	Brian Buchanan
002-52	Charlene Mays

002-53	Chloe Feeney
002-54	Stuart Mallet
002-55	Alan Porter
002-56	Clare Hills
002-57	Miss S. Mallet
002-58	Kai Hills
002-59	Cristiano Ronaldo
002-60	David Baxter
002-61	Manus Bonner
002-62	Deborah McBeath
002-63	Susan Mays
002-64	Jim Wilson
002-65	George Friel
002-66	Dale Peden
002-67	Kamaljit Bahia
002-68	Allan Leighton
002-69	Scott McIntosh
002-70	Jeremy Grimwood
002-71	Tony Beattie
002-72	Lynda Mays
002-73	Zaheer Ahmed
002-74	Michael Gemmell
002-75	Holly McMenamin
002-76	Robert McCormick
002-77	Liam Paul
002-78	Yasir Raja
002-79	Noor-Ul-Huda Ahmed
002-80	Catriona White

002-81	Nasreen Kauser
002-82	Abid Zozo
002-83	Hashim Mohyidin
002-84	Sean Murphy
002-85	Asad Akram
002-86	Hitansh Sethi
002-87	Timmy Maryland
002-88	David Dick
002-89	Michael Sanaghan
002-90	Monica Connor
002-91	Linsay Jones
002-92	Asma Ahmed
002-93	Rolanda Paige
002-94	Angela Stanley
002-95	Don Simpson
002-96	Graeme MacLaren
002-97	Abbie Gillespie
002-98	Yvonne Yule
002-99	Lisha Moffat
002-100	Mark Richardson
002-101	Kenny Cameron
002-102	Jack Rolfe
002-103	Conor Jones
002-104	Brenda Ferguson
002-105	Alison Sanaghan
002-106	Surbjit Dhillon
002-107	John McGuire
002-108	Allun Wright

002-109	June Cameron
002-110	Helen Field
002-111	Mark Gorgon
002-112	Keiran Gillespie
002-113	David Field
002-114	Gordon Goodsir
002-115	Euan Paul
002-116	Jillian McGillvary
002-117	Kimberly Salmond
002-118	Arthur Wyllie
002-119	Frank Bissett
002-120	Omar Riaz
002-121	Michael Brown
002-122	Janette Wilson
002-123	Paul Gray
002-124	Stuart Buchan
002-125	Mr C Knox
002-126	Lisa Aitchison
002-127	Pervez Hussain
002-128	Chloe Holland
002-129	Emma Haggerty
002-130	Tahera Sultana
002-131	Suzanne Forrester
002-132	Louise Rouse
002-133	Damian Teasdale
002-134	Kharis Lipton
002-135	Mark Rankin
002-136	Martyn Peattie

002-137	Alexis Keir
002-138	Vicki Lorimer
002-139	Ross Walker
002-140	Michelle Patrick
002-141	Abbey McCormack
002-142	Steven Mair
002-143	Cody Reid
002-144	Adeel Afzal
002-145	James Butcher
002-146	Rozalia Doja
002-147	Jack Simpson
002-148	Kirstie Mccormick
002-149	Daniel Lamont
002-150	Richard Marshall
002-151	Robert Gilmour
002-152	Tatenda Razunguzwa
002-153	Shirley Paterson
002-154	Amanda Fulton
002-155	Andrew McCrabbe
002-156	Grant Robertson
002-157	Ashley Ashley
002-158	Heather Conway
002-159	Cameron Betts
002-160	Elizabeth McLelland
002-161	Alex Halliday
002-162	David Simpson
002-163	Francis Conway
002-164	Bethany McMenamin

002-165	Kelly Mitchell
002-166	Millie Swift
002-167	Kathleen Sutherland
002-168	Jamie Craig
002-169	Mark Logue
002-170	Muhammad Ahsan Dastgir Rafique
002-171	Kenneth Milne
002-172	Cal Nobile
002-173	Gerald Lipton
002-174	Amanda Richardson
002-175	Kevin Shields
002-176	Tariq Ali
002-177	Sajida Ali
002-178	Moazma Jabeen
002-179	Craig McColl
002-180	Robert Lowrie
002-181	David Bailey
002-182	Andrew Kerr
002-183	Paul Girdwood
002-184	Ross Hopgood
002-185	Kathleen Girdwood
002-186	Darrell Latimer
002-187	Graham Pearson
002-188	Mark Robertson
002-189	Lorna Munro
002-190	William Aitken
002-191	Dennise Turpie
002-192	Sarah Ro-Jackson

002-193	Muhammad Assad Dastgir Rafique
002-194	Fraser Collier
002-195	Ryan Campbell
002-196	Tanveer Ahmed
002-197	Tahir Muzammil
002-198	Mohammed Subhaan Ali
002-199	Samreen Ali
002-200	Ali Ciftci
002-201	Muhammad Saleh Ashraf
002-202	Muhammad Abass
002-203	Malissa MacRae
002-204	Michal Nietrzebka
002-205	Christine Buchan
002-206	Alan Porter
002-207	Tom Wilton
002-208	Gemma Brown
002-209	Alan Duff
002-210	Jackie Ritchie
002-211	Lynne Gove
002-212	Mandy Scott
002-213	Isobel Burgess
002-214	James Hunter
002-215	Fiona Hunter
002-216	Denis Mapstone
002-217	James White
002-218	Stephen Snedker
002-219	Kyle McFarlane
002-220	Ronnie Cummings

002-221	James Miller
002-222	Wendy Swift
002-223	Michael Braid
002-224	Zoe Mays
002-225	Isa Innes
002-226	Michael Thornton
002-227	David Barclay
002-228	Allanah Black
002-229	Kenneth Forker
002-230	Maxwell Saini
002-231	Tomasz Motyka
002-232	Michael Cunningham
002-233	Mark Philp
002-234	Kevin Hopgood
002-235	Deborah Gallagher
002-236	Laura Bell
002-237	Abida Rafique
002-238	Joe Coyle
002-239	Samrah Dastgir
002-240	Assad Dastgir Rafique
002-241	Matthew Morris
002-242	Susan Holland
002-243	Emma Gabellone
002-244	Simon Bond
002-245	Michael Banks
002-246	Teresa Kemp
002-247	Rachel Batchelor
002-248	Barry Coull

002-249	Colin Digby
002-250	Lauren Bisset
002-251	Andy Williamson
002-252	Pawel Wiklinski
002-253	Ritchie Smith
002-254	Danielle Sammons
002-255	Mohammad Sajid Ather
002-256	Bob Keillor
002-257	Thomas Whittle
002-258	John Horne
002-259	Angus McDonald
002-260	Andreea Firescu
002-261	Krystle Burnett
002-262	Izabela Drozd
002-263	Abdul Gafur
002-264	Martin Donald
002-265	Jim Hobin
002-266	Kamil Kxk
002-267	Jamie Bisset
002-268	David Paterson
002-269	Miss. C Fyfe
002-270	Alexander Napier
002-271	Richard Hepburn
002-272	James Shinnie
002-273	Darren Milne
002-274	John McConnachie
002-275	Keith Mann
002-276	James Lumsden

002-277	Austin Cruickshank
002-278	John Gibson
002-279	Dean Johnston
002-280	Douglas Watson
002-281	Bob Bruce
002-282	Mihai Andrei Neagu
002-283	Neil Fleming
002-284	Mohammad Latif
002-285	Tim Thomson
002-286	Craig Smith
002-287	Adnan Mahmood
002-288	Samantha Donaldson
002-289	Joston Rebello
002-290	Joan Baird
002-291	Bilal Shah
002-292	Paramjyot Bahia
002-293	Tanveet Bahia
002-294	Stephen Cameron
002-295	Satnam Bahia
002-296	Douglas Bell
002-297	Liam Mahady
002-298	Kirsty Irvine
002-299	Stuart Montgomery
002-300	Sara Reynolds
002-301	Beverley Samyint
002-302	Philip Laird
002-303	Ali McRaith
002-304	Debbie Linton

002-305	Shaun Pearson
002-306	Graham Greig
002-307	Tracy Rushford
002-308	Fiona Ellis
002-309	Tiffney Watson
002-310	Craig Simm
002-311	Robert Crockart
002-312	Muhammad Shahid
002-313	Kieran Taggart
002-314	Maria Ahmed
002-315	Michael Susans
002-316	Kat Cook
002-317	Fiona McDill
002-318	Kirsty Hopgood
002-319	Laura Bremner
002-320	Iain Telfer
002-321	Gordon Japp
002-322	Mary Telfer
002-323	Breege Fraser
002-324	Kathryn Mitchell
002-325	Lexii Moreland
002-326	Ms Kerys T
002-327	Carol Coleman
002-328	Audrey Jones
002-329	Alan Moreland
002-330	Ewan Flynn
002-331	Craig Christie
002-332	Deborah Brown

002-333	Claire Bease
002-334	Angie Boston
002-335	Mary Grubb
002-336	David Dobbie
002-337	Thomas Moffat
002-338	Lukaszewicz Lukaszewicz
002-339	Alastair Brown
002-340	Muhammad Rashid
002-341	Catherine Owen
002-342	Angela Younger
002-343	Dawn Edmond
002-344	Jodie Wotherspoon
002-345	Kayley Dewar
002-346	Andrew Dee
002-347	Senga Krump
002-348	Caroline Duncan
002-349	Ray Anwender
002-350	Ian Larr
002-351	Julie Anderson
002-352	Laura Harris
002-353	Ian Doig
002-354	Mark Anderson
002-355	Ann Gunn
002-356	Aleish Hegarty
002-357	Shannon Greer
002-358	Felicity Grubb
002-359	Margaret Miller
002-360	Scott Nightingale

002-361 Sandra Hanley

002-362 Graham Hart

002-363 John Moffat

002-364 Tamara Harrison

002-365 Pamela Cassley

002-366 Paul Robertson

002-367 Chris Graham

002-368 Clark Finlay

002-369 Craig Dagostino

002-370 Bill Crighton

002-371 Fiona Russell

002-372 Joseph Curran

002-373 Marek Popiela

002-374 Linda Murdoch

002-375 Meghann Christie

002-376 Oluseun Kehinde

002-377 Faqir Mohyidin

002-378 Shahnhaz Mohyidin

002-379 Tamarah Howsego

002-380 Abdul Ahad Khan

002-381 Wendy Alcorn

002-382 Angela Nairn

002-383 Andrew Simpson

002-384 Aaron Dickson

002-385 Shanyse Wudinge

002-386 Euan Forrester

002-387 Jackie Innes

002-388 Joseph Greenhorn

002-389	Andy Brown
002-390	Lee Robertson
002-391	Minhas Anwar
002-392	Sam Green
002-393	Charlotte Smith
002-394	Patricia Kent
002–395	Grahame Brown

From:	East Fife Taxi Association
To:	Misc Licensing
Subject:	Objection: Booking Office Licence – Uber Scot Limited
Date:	11 February 2026 14:25:16
Attachments:	Booking-Office-Guidance-Conds-C-of-C-2024.docx data (2).pdf data.pdf data (1).pdf ANNEX1.docx

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

FORMAL OBJECTION TO APPLICATION FOR BOOKING OFFICE LICENCE
Applicant: Uber Scot Limited
Premises: Rosyth Business Centre, Unit 18, 16 Cromarty Campus, KY11 2WX
Application Date: 23 January 2026

Objection by: James Glen on behalf of East Fife Taxi Association (EFTA)

1. Statutory Framework

This objection is made in terms of:

- Schedule 1, paragraph 3 of the Civic Government (Scotland) Act 1982 (the "1982 Act")
- Paragraph 5(3) of Schedule 1 (grounds for refusal)
- The Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009

By virtue of Article 3 and the Schedule to the 2009 Order, Part I of the 1982 Act applies to booking offices, including the refusal grounds in paragraph 5(3) of Schedule 1.

The Licensing Authority must refuse the application if satisfied that any of the statutory grounds are met.

2. Grounds of Objection

EFTA submits that this application should be refused under Schedule 1 paragraph 5(3) on the following grounds:

(a) Fit and Proper Person – Paragraph 5(3)(a)(ii)
The Licensing Authority must refuse an application if, in its opinion, the applicant is not a fit and proper person to be the holder of the licence.

Uber Scot Limited is part of a corporate structure with a documented history across the UK of:

- Regulatory non-compliance findings
- Enforcement action by licensing authorities
- Findings by courts regarding operational failings
- Issues concerning driver verification and account misuse

The question for this Committee is not whether Uber holds licences elsewhere, but whether this applicant satisfies the fit and proper test in this licensing area, under this Authority's standards and enforcement regime.

Given the scale, remote management structure, and reliance on app-based dispatch without direct local supervisory infrastructure, there are legitimate concerns regarding effective oversight and accountability within Fife.

(b) Management for the Benefit of Another – Paragraph 5(3)(b)
The Committee must refuse where the activity would be managed by or carried on for the benefit of a person who would be refused the licence if they made the application themselves.

The application names a day-to-day manager residing in York. The corporate control and operational systems are centralised outside Fife.

There is a real question as to whether the booking office would in practice be operated locally, or whether it is effectively a remote dispatch hub controlled elsewhere, with nominal premises within Fife.

If operational control is exercised by persons or corporate entities not subject to direct scrutiny by this Authority, paragraph 5(3)(b) is engaged.

(c) Premises Not Suitable or Convenient – Paragraph 5(3)(c)
Under paragraph 5(3)(c), refusal is mandatory where premises are not suitable or convenient for the conduct of the activity, having regard to:

- The location, character or condition of the premises
- The nature and extent of the proposed activity
- The kind of persons likely to be involved
- Public order or public safety

The proposed premises are a unit within a business centre. The application proposes operation 24 hours per day, 7 days per week.

Key concerns:

1. Whether the premises are genuinely operational dispatch premises or merely an administrative address.
2. Whether any staff will be physically present.
3. Whether the premises are equipped for regulatory inspection and supervision.
4. Whether complaint handling, record keeping and booking traceability will be locally accessible.

If the booking operation is effectively digital and controlled outside Fife, the premises may not meet the statutory test of suitability and convenience.

(d) Public Safety and Public Order – Paragraph 5(3)(c)(iv) and (v)
The Authority is expressly entitled to consider public safety. A booking office is not a passive administrative function. It is the gateway to licensed vehicle deployment.

Concerns include:

- Adequacy of driver identity verification
- Control of account sharing
- Prevention of unlicensed vehicle dispatch
- Effective compliance with local licensing conditions

Given the scale and automated nature of the applicant's dispatch model, the Committee must be satisfied that:

- Only Fife-licensed vehicles will be dispatched within Fife
- Drivers cannot circumvent local licensing controls
- There is effective real-time oversight

Absent clear evidence of enforceable local controls, the public safety limb of paragraph 5(3)(c) is engaged.

3. Immigration Compliance
The 1982 Act, as amended, and the 2009 Order (as further amended) embed immigration compliance requirements into booking office licensing

The Committee must be satisfied that:

- Proper right-to-work checks are embedded in the applicant's processes
- Ongoing monitoring mechanisms exist
- Systems prevent unlawful working

Given the scale and remote onboarding model used by the applicant nationally, robust local scrutiny is essential.

4. Compliance with Fife Council Booking Office Conditions (BO5)
Without rehearsing the full text, Conditions 1–4 of the Fife Council Booking Office Conditions require, in summary:

- Proper maintenance of booking records
- Accurate retention of dispatch details
- Production of records on request
- Effective management and supervision

EFTA submits that the Committee must examine whether:

- Records will be stored locally or offshore
- The Council will have immediate access
- A named, accountable manager is physically present within Fife
- There is a meaningful local complaints process

If compliance depends entirely on remote systems outside the jurisdiction, enforcement becomes materially more difficult, undermining the licensing regime.

5. Conclusion
Under Schedule 1 paragraph 5(3) of the 1982 Act, the Licensing Authority shall refuse the application if any of the statutory grounds are made out.

EFTA submits that serious and legitimate concerns arise under:

- Paragraph 5(3)(a) – Fit and proper person
- Paragraph 5(3)(b) – Management for the benefit of others
- Paragraph 5(3)(c) – Unsuitable premises and public safety
- Paragraph 5(3)(d) – Other good reason

This is not a routine application. It is a large-scale, algorithmically controlled dispatch platform seeking entry into a tightly regulated local licensing regime.

The Committee must be satisfied — not hopeful — that:

- The booking office will be genuinely based and accountable within Fife
- Public safety safeguards are demonstrably robust
- Local enforcement will not be rendered impractical

Unless and until those matters are fully evidenced, EFTA respectfully requests that the application be refused.

EFTA also respectively seeks the opportunity to address the Regulation & Licensing Committee should the application proceed to determination.

Yours sincerely

James Glen (on behalf of East Fife Taxi Association)

This email was scanned by Fife Council

ANNEX 1 – SOURCE REFERENCES SUPPORTING OBJECTION

1. REGULATORY NON-COMPLIANCE FINDINGS

Transport for London (TfL) – Uber found not "fit and proper" (2019)
TfL concluded that Uber London Limited was not fit and proper to hold a private hire operator licence due to systemic safety and compliance failures.
https://tfl.gov.uk/info-for/media/press-releases/2019/november/uber-london-limited-found-to-be-not-fit-and-proper-to-hold-a-private-hire-operator-licence

Sky News reporting on licence refusal
Summary of TfL's decision outlining passenger safety concerns and regulatory breaches.
https://news.sky.com/story/uber-stripped-of-operating-licence-in-london-11869888

TfL 2024 Licence Decision Note
Details compliance inspections, breaches of licence conditions, and ongoing regulatory oversight.
https://tfl.gov.uk/cdn/static/cms/documents/tfl-to-uber-2024-licence-decision-note.pdf

2. ENFORCEMENT ACTION BY LICENSING AUTHORITIES

TfL refusal to renew licence (2019)
Formal enforcement decision refusing renewal on public safety and compliance grounds.
https://tfl.gov.uk/info-for/media/press-releases/2019/november/uber-london-limited-found-to-be-not-fit-and-proper-to-hold-a-private-hire-operator-licence

ProDriver Mags – Licence granted with conditions
Report outlining the stringent conditions attached to Uber's subsequent London licence.
https://www.prodrivermags.com/news/uber-granted-30-month-london-operating-license-with-conditions-attached/

TfL Taxi & Private Hire Enforcement Updates
General regulatory updates and enforcement actions.
https://tfl.gov.uk/info-for/taxis-and-private-hire/press-releases-and-news

3. COURT FINDINGS REGARDING OPERATIONAL / BUSINESS MODEL ISSUES

Uber BV v Aslam [2021] UKSC 5
UK Supreme Court ruling holding Uber drivers are "workers", rejecting Uber's contractual classification model.
https://en.wikipedia.org/wiki/Uber_BV_v_Aslam

Local Government Lawyer – Uber Appeal Decision
Report summarising the appeal decision relating to TfL's licence refusal and the judicial assessment of compliance history.
https://www.localgovernmentlawyer.co.uk/licensing/399-licensing-news/44954-uber-wins-appeal-over-refusal-of-london-phv-licence-with-judge-ruling-company-is-now-fit-and-proper-person

4. DRIVER VERIFICATION AND ACCOUNT MISUSE ISSUES

The Times – Licensing and identity concerns (industry reporting)
Contextual reporting on driver identity and licensing enforcement issues in London's taxi and PHV sector.
https://www.thetimes.com/uk/london/article/london-taxi-drivers-lose-licences-over-drink-drugs-and-sex-offences-7l8h0rfkj

5. WIDER REGULATORY / COMPLIANCE CONTEXT

Legality of Ridesharing Companies by Jurisdiction
Overview of regulatory disputes and licence issues affecting Uber in UK local authority contexts.
https://en.wikipedia.org/wiki/Legality_of_ridesharing_companies_by_jurisdiction

Uber – Privacy and Data Compliance Fines
Overview of regulatory fines imposed on Uber by European authorities relating to data protection compliance.
https://en.wikipedia.org/wiki/Uber

From:
To: Tom Brown; Craig Ritchie-LS; STEVEN PATERSON
Subject: Fw: Application by Uber Scot Limited for Taxi Booking Office Licence: Representation
Date: 19 February 2026 17:32:57

From: Gary Moyes

Sent: 19 February 2026 16:31

To: Misc Licensing

Cc: Caroline Macdonald

Subject: Application by Uber Scot Limited for Taxi Booking Office Licence: Representation

Dear colleague.

I wish to make a Representation to Committee in terms of the application for a Booking Office Licence made by Uber Scot Limited under The Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009.

I am stopping short of making a formal Objection to the application as I do not have sufficient evidence or grounds to object. However, I believe Committee should be aware of the potential impact of Uber entering the Fife marketplace, in terms of a knock-on effect on Fife Council contract work for School and Social Work journeys.

On the one hand, it can be argued that anyone is free to apply for a Booking Office Licence and everyone else just has to accept the new competition as part of a free market. However, there is no doubt that the arrival of Uber in any area is seen as a major disruptor. This is not necessarily a bad thing as it has increased competition and choice for passengers. However, either by generating new drivers or poaching existing taxi/PHC drivers and their vehicles, this has an impact on existing operators who are chasing a finite number of customers and journey bookings.

If Uber manages to pull such commercial taxi and PHC business away from existing operators, this is likely to impact their income, which, in turn, could force them to downsize. Others may find the competition is unsustainable. A smaller pool of operators, vehicles and drivers may have an impact on the Council's ability to secure School taxi journeys (£6M per year) and Social Work journeys (£1.5M per year). There is a worry that contract prices could increase as a result.

To be clear, if Uber were granted a Booking Office Licence, it could not bid for any Council contracts, as it wouldn't meet a number of Contract Conditions. In any case, the company's business model is very unlikely to make it interested in contract work, due to our contract requirements for Operator Licensing, PVG and insurance. The company is, after all, not a taxi or PHC operator; it's a technology company offering a booking app.

The Uber model has undoubtedly brought benefits to passengers and some drivers in large cities where journey demand is high. Whether that model can be replicated in Fife and have no impact on existing taxi/PHC operators is unclear.

I appreciate the above concerns can be viewed as speculative but, as the Procurement Category Manager for the Council's transport contracts, I wanted Members to have an awareness of a potential issue impacting the Council, to fully inform their decision at Committee.

Regards,
Gary

Gary Moyes
Category Manager (Travel & Transportation)

Procurement Section, Revenue & Commercial Services, Fife Council, Fife House, North Street, Glenrothes, KY7 5LT

Mission: *"Enhancing Fife Council Services, our local environment and economy through the power of procurement."*



Civic Government (Scotland) Act 1982

CHAPTER 45

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

PART I

LICENSING—GENERAL PROVISIONS

1 Application of Parts I and II of this Act.
2 Licensing authorities.
3 Discharge of functions of licensing authorities.
3A Mandatory licence conditions
3B Standard licence conditions
4 Further provisions as to licensing.
5 Rights of entry and inspection.
6 Powers of entry to and search of unlicensed premises.
7 Offences, etc.
8 Interpretation of Parts I and II.

PART II

LICENSING AND REGULATION—PARTICULAR ACTIVITIES

9 Application of sections 10 to 27 and 38 to 44.

Licensing and regulation of taxis and private hire cars

10 Taxi and private hire car licences.
11 Inspection and testing of vehicles.
12 Fees for taxi and private hire car licences.
13 Taxi and private hire car driving licences.
13A Persons disqualified by reason of immigration status
14 Signs on vehicles other than taxis.
15 Operation of taxis outside licensing areas.

16 Journeys in England and Wales by vehicles and drivers licensed under this Act.
17 Taxi fares.
18 Appeals in respect of taxi fares.
18A Publication and coming into effect of taxi fares
19 Taxi stances.
20 Regulations relating to taxis and private hire cars and their drivers.
21 Offences.
22 Exemptions
23 Interpretation of sections 10 to 22.

Licensing and regulation of second-hand dealers

24 Second-hand dealers' licences.
25 Disposal of stock-in-trade.
26 Sellers of second-hand goods: offences etc.
27 Functions of the court in relation to second-hand dealers convicted of offences.

Licensing and regulation of knife dealers

27A Knife dealers' licences
27B Applications for knife dealers' licences: notice
27C Knife dealers' licences: conditions
27D Provision of information to holder of knife dealer's licence
27E Knife dealers' licences: warrants to enter, search and seize articles
27F Powers of constables and authorised officers
27G Power to inspect documents
27H Sections 27E to 27G: interpretation
27J Forfeiture orders
27K Effect of forfeiture order
27L Offences by partnerships
27M Appropriate licence required
27N Remote sales of knives etc.
27P Sales and dispatches in different local authority areas
27Q Duty to avoid conflict between conditions of licences
27R Offences in relation to knife dealers' licences: exceptions
27S Orders under sections 27A to 27R

Licensing and regulation of metal dealers

28 Metal dealers: licensing and regulation.
29 Metal dealers' exemption warrants.
30 Keeping of records.
31 Retention of metal.
32 Itinerant metal dealers.
33 Receipts and invoices: itinerant metal dealers.
33A Acceptable forms of payment for metal
33B Acceptable forms of payment: meaning of "bank or building society account"
33C Requirement to keep records
33D Form of records
33E Metal dealer to keep records for each place of business
34 Offences relating to metal dealing.

35 Functions of the court in relation to metal dealers convicted of offences.
35A Register of metal dealers and itinerant metal dealers
36 Appropriate licence required.
37 Interpretation of sections 28 to 36.
37A Exemptions

Miscellaneous licences

38 Boat hire licences.
39 Street traders' licences.
40 Market operators' licences.
41 Public entertainment licences.
41A Indoor sports entertainment licences.
42 Late hours catering licences.
43 Window cleaners' licences.
44 Additional activities.

PART III

CONTROL OF SEX SHOPS AND SEXUAL ENTERTAINMENT VENUES

45 Control of sex shops.
45A Licensing of sexual entertainment venues: interpretation
45B Licensing of sexual entertainment venues
45C Statements of policy in relation to sexual entertainment venues
45D Deemed grant of applications

Conditions of licences granted under this Part

45E Mandatory licence conditions
45F Standard licence conditions

PART 3A

CIVIC LICENSING STANDARDS OFFICERS

45G Civic licensing standards officers
45H General functions of a civic licensing standards officer

PART IV

OFFENCES, POWERS OF CONSTABLES, ETC.

Offences of annoying, offensive, obstructive or dangerous behaviour

46 Soliciting and importuning by prostitutes.
47 Urinating etc.
48 Dogs: fouling of pavements.
49 Dangerous and annoying creatures.
50 Drunkenness.
51 Obscene material.
51A Extreme pornography
51B Extreme pornography: excluded images
51C Extreme pornography: defences
52 Indecent photographs etc. of children.
52A Possession of indecent photographs of children.
52B Sections 52 and 52A: exceptions for photographs of 16 and 17 year olds

52C Section 52B: proof of exceptions
53 Obstruction by pedestrians.
54 Playing instruments, singing, playing radios, etc.
55 Touting.
56 Fires.

Preventive offences

57 Being in or on building etc. with intent to commit theft.
58 Convicted thief in possession.

Powers of constables etc.

59 Powers of arrest and apprehension.
60 Powers of search and seizure.
61 Protection of insecure premises.

PART V

PUBLIC PROCESSIONS

62 Notification of processions.
63 Functions of regional and islands councils in relation to processions.
64 Appeals against orders under section 63.
65 Offences and enforcement.
65A Guidance to local authorities
66 Relationship of sections 62 to 65 with Public Order Act 1986.

PART VI

LOST AND ABANDONED PROPERTY

67 Duty of finder.
68 Functions of chief constable.
69 Claims by owner etc. prior to disposal.
70 Powers of chief constable regarding rewards.
71 Right arising on disposal of property.
72 Rights to compensation.
73 No right of ownership conferred by finding.
74 Living creatures.
75 Stray dogs.
76 Appeal to sheriff.
77 Financial provisions.
78 Crown application of Part VI.
79 Interpretation of Part VI.

PART VII

PROPERTY IN POSSESSION OF PERSONS TAKEN INTO POLICE CUSTODY

80 Application of Part VII to property.
81 Chief constable to take charge of property.
82 Provision as to property where the person in custody is the owner etc.
83 Provision as to property where the person in custody is not the owner etc.
84 Appeal to sheriff.
85 Financial provisions: property of persons in custody.

86 Interpretation and Crown application of this Part.

PART VIIA

PROPERTY IN UNLAWFUL POSSESSION OF PERSONS TAKEN INTO POLICE CUSTODY AND CERTAIN OTHER PROPERTY TO WHICH PART VII DOES NOT APPLY

86A Application of Part VIIA to property.
86B Certification by prosecutor.
86C Claims by owner etc. prior to disposal.
86D Duty of care etc.
86E Disposal of relevant property.
86F Retention of relevant property by Scottish Police Authority
86G Appeals.
86H Crown application of Part VIIA.
86I Further financial provision.
86J References in this Part to "chief constable".

PART VIII

BUILDINGS, ETC.

87 Local authorities' powers in relation to buildings in need of repair.
88 Installation of pipes through neighbouring property.
89 Safety of platforms etc.
90 Lighting of common stairs etc.
91 Installation of lights in private property.
92 Cleaning and painting of common stairs, etc.
93 Fire precautions in common stairs etc.
94 Disused petrol containers.
95 Private open spaces.
96 Statues and monuments.
97 Street names and house numbers.
98 Luminous tube signs.

Powers of entry, execution of works, etc.

99 Power to enter, execute works and recover expense.
100 Interest on expenses.
101 Offences relating to powers of entry and carrying out of works.
102 Entry warrants.
103 Execution of owner's works by occupier.
104 Powers of entry: occupier and owner.
105 Contents of notices.
106 Appeals.
107 Time for enforcing certain notices.
108 Recovery of expenses incurred under section 87 by charging order.
109 Replacement of provisions of this Part by Health and Safety Regulations.

PART IX

MISCELLANEOUS AND GENERAL

Byelaws

110

111 Cessation of certain byelaws and saving for certain byelaws.

Management rules

112 Making of management rules.
113 Evidence of management rules.
114 Publication of management rules.
115 Inspection and copies of management rules.
116 Expulsion or exclusion for breach of management rules.
117 Exclusion orders.
118 Offences.

Regulation of charitable collections

119 Regulation of charitable collections.

The seashore etc.

120 Savings for Crown and other rights.
121 Control of the seashore, adjacent waters and inland waters.
122 Power to execute works on seashore.
123 Interpretation of sections 120 to 122.

Refuse collection and disposal

124 Collection and disposal of household and trade waste.
125 Interference with dustbins
126 Repeal of sections 124 and 125, savings and transitional provisions.

Miscellaneous

127 Advertising on local authority lands, vehicles etc.
128 Control of stray dogs.
129 Killing of or injury to dogs worrying livestock.

General

130 Offences by bodies corporate.
131 Application to Crown.
132 Expenses.
133 Interpretation.
134 Postponement of repeal of Burgh Police (Scotland) Acts and local statutory provisions.
135 Acceleration of repeal of certain provisions of the Burgh Police (Scotland) Acts and certain local statutory provisions.
136 Consequential, transitional and supplementary provisions.
137 Citation, commencement, repeals and extent.

SCHEDULES

SCHEDULE 1 — Licensing—Further Provisions as to the General System

Applications for the grant and renewal of licences

1 (1) An application to a licensing authority for the grant...

2 (1) A licensing authority shall, as soon as an application...

Objections and representations

3 (1) Any objection or representation relating to an application for...

Disposal of applications for the grant and renewal of licences

4 (1) In considering an application for the grant or renewal...
5 (1) Where an application for the grant or renewal of...

Restriction on successive applications

6 Where a licensing authority have refused an application for the...

Temporary licences

7 (1) A licensing authority may grant a licence to have...

Duration of licences

8 (1) Subject to and in accordance with the provisions of...

Taxi etc driving licences for persons subject to immigration control

8A (1) Sub-paragraph (2) applies if— (a) a taxi driver's licence...

Notification of changes and alterations

9 (1) Where there is a material change of circumstances affecting...

Variation, suspension and revocation of licences

10 (1) A licensing authority may, at any time, whether or...
11 (1) A licensing authority may, whether upon a complaint made...
12 (1) A licensing authority shall, whether upon a complaint made...

Supplementary

13 (1) A holder of a licence may at any time...
14 (1) A licensing authority shall cause to be kept a...

Fees

15 (1) A licensing authority shall, subject to sub-paragraph (2) below—...

Sending of notice by post

16 When a licensing authority sends by post, for the purposes...

Electronic communications

16A (1) A licensing authority may determine to accept—

Notification of the decisions and giving of reasons

17 (1) A licensing authority shall, within 10 days of being...

Appeals

18 (1) Subject to sub-paragraph (2) below, a person who may,...

Power to make provision about hearings

18A (1) The Scottish Ministers may by regulations make provision as...

How hearings may be held

18B (1) A licensing authority may determine that a hearing is...

Interpretation

19 In this Schedule, "relevant objection or representation" means—
20 (1) In this Schedule " immigration offence " means an...
21 (1) In this Schedule– (a) "booking office licence" means a...

SCHEDULE 2 — Control of Sex Shops

Saving for existing law

1 Nothing in this Schedule— (a) shall afford a defence to...

Meaning of "sex shop" and "sex article"

2 (1) In this Schedule "sex shop" means any premises, vehicle,...

Miscellaneous definitions

3 In this Schedule— ... " authorised civilian employee " means...

Requirement for licences for sex shops

4 Subject to the provision of this Schedule, no person shall...

Waivers

5 (1) Any person who— (a) uses in any area any...

Applications for the grant and renewal of licences

6 (1) An application for the grant or renewal of a...

Notification of applications

7 (1) An applicant for the grant or renewal of a...

Objections and representations

8 (1) The local authority shall, as soon as an application...

Disposal of applications for licences

9 (1) Where an application for the grant or renewal of...

Notification of decisions and reasons

10 (1) The local authority shall, in accordance with sub-paragraph (2)...

Display of licences in sex shops

11 The holder of a licence under this Schedule shall keep...

Duration of licences

12 (1) Subject to and in accordance with the provisions of...

Revocation of licences

13 (1) The local authority may at any time revoke a...

Notification of changes of circumstances

14 (1) Where there is a material change of circumstances affecting...

Variation of licences

15 (1) A local authority may, at any time, whether or...

Surrender of licence

16 (1) A holder of a licence may at any time...

Register of Applications

17 (1) A local authority shall cause to be kept a...

Fees

18 (1) A local authority shall, subject to sub-paragraph (2) below—...

Enforcement

19 (1) A person who— (a) without reasonable excuse uses any...

Rights of entry and inspection

20 (1) Without prejudice to any other provision of this Schedule...

Powers of entry and search

21 (1) If a justice of the peace or sheriff is...

Sending of notice by post

22 When a local authoritysends by post, for the purposes of...

Electronic communications

22A (1) A local authority may determine to accept—

Notification of decisions and giving of reasons

23 (1) A local authority shall, within 10 days of being...

Appeals

24 (1) Subject to sub-paragraph (2) below, a person who may,...

Changes to legislation: *Civic Government (Scotland) Act 1982 is up to date with all changes known to be in force on or before 09 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Power to make provision about hearings

24A (1) The Scottish Ministers may by regulations make provision as...

How hearings may be held

24B (1) A local authority may determine that a hearing is...

Provisions relating to existing premises

25 (1) Without prejudice to any enactment other than this Schedule...

Schedule 2A — Retention and disposal of property seized under section 54(2A) of this Act

Application

1 This schedule applies to property seized under section 54(2A) of...

Retention

2 (1) Subject to sub-paragraph (2) below, property to which this...

Arrangements for custody of property

3 (1) Subject to section 17(3)(a) of the Police and Fire...

Disposal

4 Where the period of retention permitted by paragraph 2 above...
5 (1) Subject to sub-paragraphs (5) and (6) below, the owner...
6 (1) Where this sub-paragraph applies, the chief constable may—

Appeals

7 (1) A claimant under sub-paragraph (2) of paragraph 5 above...

Interpretation

8 In this Schedule— " chief constable " means the chief...

SCHEDULE 3 — Minor and Consequential Amendments

The Roads and Bridges (Scotland) Act 1878 (c. 51)

1 . . . . . .

The Firearms Act 1968 (c. 27)

2 In Schedule 2 to the Firearms Act 1968 (offences to...

The Breeding of Dogs Act 1973 (c. 60)

3 In the Breeding of Dogs Act 1973—
4 . . . .

The Public Passenger Vehicles Act 1981 (c. 14)

5 In section 79 of the Public Passenger Vehicles Act 1981...

Schedule 4 — Repeals

Changes to legislation:
Civic Government (Scotland) Act 1982 is up to date with all changes known to be in force on or before 09 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :

- s. 8 words inserted by 2010 asp 13 s. 200(1)(a)
- s. 22(1)(c) repealed by 2015 asp 10 s. 65(3)
- s. 27C(2) repealed by 2010 asp 13 s. 172(4)(b)
- s. 39(3)(f) words substituted by 2005 asp 10 sch. 4 para. 5(b)
- s. 49(9) added by 2010 asp 13 s. 200(1)(b)
- s. 119 repealed by 2005 asp 10 sch. 4 para. 5(c)
- s. 119(6)(d) words inserted by 1992 c. 41 Sch. 6 para. 10(b)
- Sch. 2 para. 3 words inserted by 2010 asp 13 s. 200(1)(c)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(c) repealed by 2015 asp 10 s. 65(3)
- s. 49(9) added by 2010 asp 13 s. 200(1)(b)

Licensing Team
Finance & Corporate Services
Fife Council
Fife House
North Street
Glenrothes

10 February 2026

Re: Objection to Booking Office Licence Application – Uber Scot Limited (Rosyth Business Centre)

Dear Sir or Madam,

I write to formally object to the application by **Uber Scot Limited** for a Booking Office Licence at **Rosyth Business Centre, Unit 18, 16 Cromarty Campus, KY11 2WX**, in terms of the Civic Government (Scotland) Act 1982. This objection is submitted within the statutory 28-day period.

Fit and Proper Person – Schedule 1, paragraph 5(3)(a)
The Licensing Authority must refuse the application if, in its opinion, the applicant is not a fit and proper person to hold the licence.

The applicant is part of a corporate structure which has previously been found by Transport for London to be not fit and proper to hold a private hire operator licence due to serious safety and compliance failures. These included failures in driver identity verification and regulatory control.

Given that booking offices are the gateway to vehicle dispatch and passenger safety, I am not satisfied that the applicant has demonstrated the standard of control and accountability required for this licensing area.

Public Safety and Suitability of Premises – Schedule 1, paragraph 5(3)(c)
The Licensing Authority must refuse the application where the premises are not suitable or convenient having regard to public safety.

The proposed operation appears to rely primarily on a remote, app-based dispatch system, with limited evidence of genuine local management and oversight. It is unclear whether there will be meaningful on-site supervision within Fife.

If operational control is exercised remotely and enforcement access is dependent on systems outside the Authority's direct reach, this raises legitimate concerns about suitability and public safety.

Management and Regulatory Oversight – Schedule 1, paragraph 5(3)(b) and (d)
There is a real question as to whether the booking office would in practice be managed locally, or for the benefit of corporate entities outside Fife's jurisdiction.

Where effective local accountability is absent, this undermines the integrity of the Civic Government (Scotland) Act 1982 licensing regime and constitutes good reason for refusal.

Protection of the Local Licensing Regime
The booking office licence is not a formality. It is a statutory safeguard designed to ensure that only

properly licensed drivers and vehicles are dispatched within the licensing area.

Any model which makes enforcement materially more difficult, reduces transparency, or weakens local control risks undermining public confidence and passenger safety.

Conclusion
For the reasons stated above, I respectfully request that Fife Council refuse this application in terms of Schedule 1, paragraph 5(3) of the Civic Government (Scotland) Act 1982.

Yours faithfully,

Tahir Ali

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 1

LICENSING—FURTHER PROVISIONS AS TO THE GENERAL SYSTEM

Modifications etc. (not altering text)

C1 Sch. 1: power to apply conferred (18.11.1996) by 1996 c. 58, **ss. 33(3)**, 48(6)

C2 Sch. 1 applied (with modifications) (1.3.2022) by The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (S.S.I. 2022/32), arts. 1, 5(b), **sch. 2 Pt. 2** (with art. 7) (as amended (30.8.2024) by S.S.I. 2024/227, art. 2(6)-(8) (with **art. 4(2)(3)**)

Applications for the grant and renewal of licences

1 (1) An application to a licensing authority for the grant or renewal of a licence shall be—

(a) made in writing in such form as may be determined by the licensing authority;

(b) signed by the applicant or his agent; and

(c) accompanied by such fee as the authority may charge under paragraph 15 below.

(2) An application under sub-paragraph (1) above shall specify—

(a) the kind of licence in respect of which the application is made;

(b) where the applicant is a natural person, his full name **[**F1, address and date and place of birth**]** and, where the applicant himself is not to be carrying on the day-to-day management of the activity in relation to which the application is made, the full name **[**F1, address and date and place of birth**]** of any employee or agent who is;

(c) where the application is made by or on behalf of a person other than a natural person,

(i) the full name of the person;

(ii) the address of its registered or principal office;

(iii) the names **[**F2, private addresses and dates and places of birth **]** of its directors, partners or other persons responsible for its management; and

(iv) the full name **[**F3, address and date and place of birth **]** of any employee or agent who is to carry on the day-to-day management of the activity in relation to which the application is made;

(d) the address of the premises, if any, in or from which and the area in which the activity is to be carried on; and

(e) such other information as the authority may reasonably require.

(3) Where the application relates to a licence for an activity which is wholly or mainly to be carried on in premises, it shall contain one or other of the following declarations

Changes to legislation: *Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

by the applicant, that is to say, a declaration that he is complying with paragraph 2(2) below or a declaration by him that he is unable to do so because he has not such rights of access or other rights in respect of the premises as would enable him to do so, but that he has taken such reasonable steps as are open to him (specifying them) to acquire those rights and has been unable to acquire them.

Textual Amendments

F1 Words in Sch. 1 para. 1(2)(b) substituted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(a)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

F2 Words in Sch. 1 para. 1(2)(c)(iii) substituted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(b)(i)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

F3 Words in Sch. 1 para. 1(2)(c)(iv) substituted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(b)(ii)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

2 (1) A licensing authority shall, as soon as an application for the grant or renewal of a licence is made to them, send a copy of the application to the chief constable and, where the activity is wholly or mainly to be carried on

[F4(a) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(b) in any other premises**]**, the **[**F5Scottish Fire and Rescue Service**]** .

(2) Where an application is for the grant or renewal of a licence in relation to an activity wholly or mainly to be carried on in premises, the applicant shall, for a period of 21 days beginning with the date on which the application was submitted to the licensing authority, display a notice complying with sub-paragraph (3) below at or near the premises so that it can conveniently be read by the public.

(3) The notice shall state—

(a) that application has been made for a licence;

(b) the particulars required under paragraph 1(2) above to be specified in the application **[**F6 (other than the date and place of birth of any person)**]** ;

(c) that objections and representations in relation to the application may be made to the licensing authority in accordance with paragraph 3 below;

(d) the effect of paragraph 3(1) to (3) below.

(4) Where an application contains a declaration that the applicant is complying with sub-paragraph (2) above, the applicant shall, as soon as possible after the expiry of the period of 21 days referred to in that sub-paragraph, submit to the licensing authority a certificate stating that he has so complied.

(5) An applicant shall not be treated as having failed to comply with sub-paragraph (2) above if the notice was, without any fault or intention of his, removed, obscured or defaced before the 21 days referred to in that sub-paragraph have elapsed, so long as he has taken reasonable steps for its protection and, if need be, replacement; and if he has cause to rely on this sub-paragraph, his certificate under sub-paragraph (4) above shall state the relevant circumstances.

(6) Where an application contains a declaration that the applicant is complying with sub-paragraph (2) above, and—

(a) he fails to submit the certificate required by sub-paragraph (4) above;

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(b) in the circumstances referred to in sub-paragraph (5) above, he has not, in the opinion of the licensing authority, taken reasonable steps for the protection or, as the case may require, replacement of the notice; or

(c) the licensing authority is, at any time before they reach a final decision on the application, satisfied that the notice was not displayed in accordance with this paragraph,

they may require the applicant to display the notice again for a period of 21 days beginning with such date as they may specify and the provisions of this paragraph shall apply in respect of such display as they apply in respect of display under sub-paragraph (2) above.

(7) The licensing authority—

(a) shall, in accordance with sub-paragraph (8) below, cause public notice to be given of every application made to them for the grant or renewal of a licence falling within a prescribed class;

(b) shall, in accordance with sub-paragraph (8) below, cause public notice to be given of an application made to them for the grant or renewal of a licence in relation to an activity wholly or mainly to be carried on in premises if the application contains a declaration that the applicant has been unable to comply with the requirements of sub-paragraph (2) above;

(c) may, if they think fit, cause public notice to be given, in accordance with sub-paragraph (8) below, of any application for the grant or renewal of a licence which is made to them and notice of which they are not obliged to give under this sub-paragraph.

(8) Public notice of an application shall be given for the purposes of sub-paragraph (7) above by publication of a notice in a newspaper or newspapers circulating in the area of the authority **[**F7, or by publication of a notice on the licensing authority's website,**]** stating—

(a) the particulars required under paragraph 1(2) above to be specified in the application **[**F8(other than the date and place of birth of any person)**]**;

(b) that objections or representations in relation to the application may be made to the licensing authority in accordance with paragraph 3 below; and

(c) the effect of paragraph 3(1) to (3) below.

(9) The Secretary of State may, by order made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament, prescribe a class or classes of licences for the purposes of sub-paragraph (7) above.

Textual Amendments

F4 Words in Sch. 1 para. 2(1) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(a)**

F5 Words in Sch. 1 para. 2(1)(b) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

F6 Words in Sch. 1 para. 2(3)(b) inserted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(c)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

F7 Words in Sch. 1 para. 2(8) inserted (1.10.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), **ss. 31(2)**, 59(1)

Changes to legislation: *Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

F8 Words in Sch. 1 para. 2(8)(a) inserted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(d)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

Objections and representations

3 (1) Any objection or representation relating to an application for the grant or renewal of a licence shall, subject to sub-paragraph (2) below, be entertained by the licensing authority if, but only if, the objection or representation—

(a) is in writing;

(b) specifies the grounds of the objection or, as the case may be, the nature of the representation;

(c) specifies the name and address of the person making it;

(d) is signed by him or on his behalf;

(e) was made to them within **[**F9**]**28**]** days of whichever is the later or, as the case may be, latest of the following dates—

(i) where public notice of the application was given under paragraph 2(7) above, the date when it was first so given;

(ii) where the application relates to a licence for an activity which is wholly or mainly to be carried out in premises and the authority have specified a date under paragraph 2(6) above, that date;

(iii) in any other case, the date when the application was made to them.

(2) Notwithstanding sub-paragraph (1)(e) above, it shall be competent for a licensing authority to entertain an objection or representation received by them before they take a final decision upon the application to which it relates if they are satisfied that there is sufficient reason why it was not made in the time required under that sub-paragraph.

(3) An objection or representation shall be made for the purposes of sub-paragraph (1) above if it is delivered by hand within the time there specified to the licensing authority or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered to them within that time.

[F10**]**(3A) Where a licensing authority have determined to accept objections and representations by means of an electronic communication under paragraph 16A, an objection or representation is made for the purpose of sub-paragraph (1) of this paragraph if it is sent—

(a) to the authority by means of an electronic communication which complies with the determination, and

(b) within the time specified in sub-paragraph (1).

(3B) Sub-paragraph (3A) is without prejudice to sub-paragraph (3).**]**

(4) The licensing authority shall send a copy of any relevant objection or representation (within the meaning of paragraph 19 below) to the applicant to whose application it relates.

Textual Amendments

F9 Word in Sch. 1 para. 3(1)(e) substituted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(e)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

F10 Sch. 1 para. 3(3A)(3B) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 83(2)(a)**, 88(2); S.S.I. 2016/307, art. 2, sch.

Disposal of applications for the grant and renewal of licences

4 (1) In considering an application for the grant or renewal of a licence, a licensing authority may make such reasonable inquiries as they think fit and include the results of these inquiries in matters they take into account, but where they intend so to include any of these results they shall notify the applicant of that intention.

(2) A licensing authority may, before reaching a final decision upon such an application, give the applicant and any person who has made a relevant objection or representation (within the meaning of paragraph 19 below) in relation to the application an opportunity to be heard by the authority and, where they propose to do so, shall, within such reasonable period (not being less than **[**F11 14**]** days) of the date of the hearing, notify the applicant and each such person of that date.

(3) A licensing authority shall not reach a final decision upon such an application—

(a) in relation to which a relevant objection or representation (within the meaning of paragraph 19 below) has been made to them or in relation to which they intend to take into account any result of their inquiries under sub-paragraph (1) above; and

(b) in respect of which they have not, under this paragraph, given the applicant and any person who has made any such objection or representation an opportunity to be heard,

unless they have given the applicant an opportunity to notify them in writing of his views on such objection or representation or, as the case may be, result within such reasonable period (not being less than 7 days) as they may specify.

(4) The period referred to in sub-paragraphs (2) and (3) above shall begin with the date when the notification given by the licensing authority for the purpose of sub-paragraph (2) or, as the case may be, (3) is delivered to the person concerned and, when it is sent by post, it shall be treated as being delivered at the time when it might be expected to be delivered in the normal course of post.

Textual Amendments

F11 Word in Sch. 1 para. 4(2) substituted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(f)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

5 (1) Where an application for the grant or renewal of a licence has been made to a licensing authority they shall, in accordance with this paragraph—

(a) grant or renew the licence **F12**...;

F13(b) . . . . . .

(c) refuse to grant or renew the licence.

[F14(1A) In granting or renewing a licence under sub-paragraph (1)(a), a licensing authority may (either or both)—

(a) disapply or vary any standard conditions so far as applicable to the licence,

(b) impose conditions in addition to any mandatory or standard conditions to which the licence is subject.**]**

Changes to legislation: *Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(2) **[**F15Subject to sub-paragraph (2A),**]** the conditions referred to in sub-paragraph **[**F16(1A)(b)**]** above shall be such reasonable conditions as the licensing authority think fit and, without prejudice to that generality, may include—

(a) conditions restricting the validity of a licence to an area or areas specified in the licence; and

(b) in relation to the grant of a licence, where that licence is intended to replace an existing licence, a condition requiring the holder of the existing licence to surrender it in accordance with paragraph 13 below.

[F17(2A) The conditions referred to in sub-paragraph **[**F18(1A)(b)**]** above shall not relate to any matter in relation to which requirements or prohibitions are or could be imposed by virtue of Part 3 of the Fire (Scotland) Act 2005 (asp 5).**]**

[F19**[**F20(2ZA)**]** A variation made under sub-paragraph (1A)(a) or condition imposed under sub-paragraph (1A)(b) has no effect so far as it is inconsistent with any mandatory condition to which the licence is subject.**]**

(3) A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified under section 7(6) of this Act, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

(4) A licensing authority shall not, in a case where a certificate falls to be submitted to them under paragraph 2(4) above, reach a final decision under this paragraph in respect of the application to which the certificate relates until it has been so submitted.

(5) A licensing authority shall in accordance with sub-paragraph (6) below, notify their decision under sub-paragraph (1) above to—

(a) the applicant;

(b) the chief constable;

(c) any person who made a relevant objection or representation (within the meaning of paragraph 19 below) in relation to the application; and

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(d) where the application was for a licence for an activity wholly or mainly to be carried on

[F21(a) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(b) in any other premises**]**, the **[**F22Scottish Fire and Rescue Service**]** .

(6) Notification shall be made under sub-paragraph (5)(a), (b) or (d) above within 7 days of the decision to be notified by sending to the person concerned written notice of the decision and under sub-paragraph (5)(c) above either by so doing or by publishing, within that time, in a newspaper circulating in the area of the licensing authority, notice of the decision.

(7) A licensing authority shall make out and deliver a licence to every person to whom a licence is granted or whose licence is renewed by the authority, and shall when requested by any such person and on payment of such fee as they may charge under paragraph 15 below, make out a duplicate of any licence issued under this sub-paragraph and certify such duplicate to be a true copy of that original licence; and any document purporting to be so certified by the proper officer of the authority shall be sufficient evidence of the terms of that licence.

(8) Where a licensing authority grant a licence in respect of which an employee or agent has been named under paragraph 1(2)(b) or (c)(iv) above, the licence shall be granted jointly in the names of the applicant and of the employee or agent, and in such a case any reference in this Schedule or in Part I or II of this Act to the holder of a licence includes a reference to one or both of those persons, as the case may require.

Textual Amendments

F12 Word in Sch. 1 para. 5(1)(a) repealed (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 172(6)(a)(i)**, 206(1); S.S.I. 2011/178, art. 2, sch. (with sch.)

F13 Sch. 1 para. 5(1)(b) repealed (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 172(6)(a)(ii)**, 206(1); S.S.I. 2011/178, art. 2, sch. (with sch.)

F14 Sch. 1 para. 5(1A) inserted (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 172(6)(b)**, 206(1); S.S.I. 2011/178, art. 2, sch. (with sch.)

F15 Words in Sch. 1 para. 5(2) inserted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(b)(i)**

F16 Word in Sch. 1 para. 5(2) substituted (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 172(6)(c)**, 206(1); S.S.I. 2011/178, art. 2, sch. (with sch.)

F17 Sch. 1 para. 5(2A) inserted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(b)(ii)**

F18 Word in Sch. 1 para. 5(2A) substituted (20.12.2017) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), s. 88(2), **sch. 2 para. 5(2)(a)(ii)**; S.S.I. 2017/424, art. 2(c)

F19 Sch. 1 para. 5(2A) inserted by virtue of (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 172(6)(d)**, 206(1); S.S.I. 2011/178, art. 2, sch. (with sch.)

F20 Sch. 1 para. 5(2ZA): Sch. 1 para. 5(2A) renumbered as Sch. 1 para. 5(2ZA) (20.12.2017) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), s. 88(2), **sch. 2 para. 5(2)(a)(i)**; S.S.I. 2017/424, art. 2(c)

F21 Words in Sch. 1 para. 5(5)(d) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(b)(iii)**

F22 Words in Sch. 1 para. 5(5)(d) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Changes to legislation: *Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Restriction on successive applications

6 Where a licensing authority have refused an application for the grant or renewal of a licence they shall not, within one year of their refusal, entertain a subsequent application from the same applicant for the grant of the same kind of licence in respect of the same activity in the same area or, where the activity consists of or includes the use of premises or a vehicle or vessel, in respect of an activity consisting of or including the same use of the same premises, vehicle or vessel unless in their opinion there has been, since their refusal, a material change of circumstances.

Temporary licences

7 (1) A licensing authority may grant a licence to have effect for such period not exceeding 6 weeks from its being granted as they may determine, and such a licence shall be known as a "temporary licence".

(2) This Schedule shall apply with the modifications specified in sub-paragraphs (3) to (5) below in relation to applications for temporary licences.

(3) Paragraphs 1(3), 2 to 4, and 5(1), **[**F23(1A), (2), (2ZA), (2A)**]** and (4) to (6) shall not apply, but in relation to each application for a temporary licence the licensing authority—

(a) shall consult the chief constable and, where the application relates to an activity wholly or mainly to be carried on

[F24(i) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(ii) in any other premises**]** , the **[**F25Scottish Fire and Rescue Service**]** ; and

(b) may **[**F26, subject to sub-paragraph (3A) below,**]** grant it subject to such conditions as they think fit.

[F27(3A) The conditions referred to in paragraph (b) of sub-paragraph (3) above shall not relate to any matter in relation to which requirements or prohibitions are or could be imposed by virtue of Part 3 of the Fire (Scotland) Act 2005 (asp 5).**]**

(4) Paragraph 6 shall not apply so as to prevent a licensing authority from entertaining an application for the grant of a licence where they have, within one year, refused an application from the same applicant for a temporary licence for the same activity.

(5) Paragraphs 8, 9, 10 and 18 shall not apply.

(6) A temporary licence shall not be capable of being renewed but, where the holder of or the applicant for a temporary licence has also made an application for a licence under paragraph 1 above in respect of the same activity, the temporary licence, if granted, shall continue to have effect until—

[F28(za) where—

(i) at any time after the application for the licence under paragraph 1 is made, the licensing authority requests the applicant to give it further information for the purpose of enabling it to make a request, or make a further request, under paragraph 3(2)(a) of Schedule 33 to the Finance Act 2021 (request for confirmation of completed tax check) in relation to the application, and

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(ii) at the end of the relevant period, the licensing authority continues to be prevented from considering the application by paragraph 3(2) of that Schedule to that Act,

the end of the relevant period; or**]**

(a) the licence applied for under paragraph 1 has been granted, whether as a result of an appeal under paragraph 18 below or not, or has been deemed to have been granted; or

(b) where the licensing authority have refused that application, the time within which an appeal under paragraph 18 below against that decision may be made has elapsed; or

(c) when such an appeal has been lodged, it has been abandoned or determined.

[F29(6A) In sub-paragraph (6)(za) "the relevant period" means—

(a) the period of 7 days beginning with the day on which the request under sub-paragraph (6)(za)(i) is made, or

(b) if the final day of that period is earlier than the day on which (disregarding sub-paragraph (6)) the temporary licence expires, the period ending with that later day.**]**

Textual Amendments

F23 Words in Sch. 1 para. 7(3) substituted (20.12.2017) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), s. 88(2), **sch. 2 para. 5(2)(b)**; S.S.I. 2017/424, art. 2(c)

F24 Words in Sch. 1 para. 7(3)(a) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(c)(ii)**

F25 Words in Sch. 1 para. 7(3)(a)(ii) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

F26 Words in Sch. 1 para. 7(3)(b) inserted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(c)(iii)**

F27 Sch. 1 para. 7(3A) inserted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(d)**

F28 Sch. 1 para. 7(6)(za) inserted (11.7.2023) by Finance (No. 2) Act 2023 (c. 30), **s. 343(4)**

F29 Sch. 1 para. 7(6A) inserted (11.7.2023) by Finance (No. 2) Act 2023 (c. 30), **s. 343(5)**

Duration of licences

8 (1) Subject to and in accordance with the provisions of this paragraph, a licence shall come into force on being granted by a licensing authority or on such later date as they may specify as a condition of the licence and shall continue in force on being renewed by them.

(2) Subject to the provisions of this paragraph, a licence shall have effect—

(a) for a period of three years from the date when it comes into force; or

(b) for such shorter period as the licensing authority may decide at the time when they grant or renew the licence.

(3) In the event of the death of a holder of a licence (except in the case of a licence referred to in section 13 of this Act) that licence shall be deemed to have been granted to his executor and shall, unless previously revoked, suspended or surrendered, remain in force until the end of the period of 3 months beginning with the death and

Changes to legislation: *Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

shall then expire; but the licensing authority may from time to time, on the application of the executor, extend or further extend that period if they are satisfied that the extension is necessary for the purpose of winding up the deceased's estate and that no other circumstances make it undesirable.

(4) Where one of the joint holders of a licence ceases to be such, the licence shall continue in force as if held by its remaining holder for a period of six weeks from the date of such cessation but, where the remaining holder has made an application under paragraph 1 above for a licence in respect of the same activity within that period of six weeks, that period shall be extended until the time specified in sub-paragraph (6) below.

(5) If an application for the renewal of a licence is made before its expiry, the existing licence shall continue to have effect until the time specified in sub-paragraph (6) below.

[F30(5A) On good cause being shown, a licensing authority may, for the purposes of sub-paragraph (5), deem an application for renewal of a licence made up to 28 days after the expiry of the licence to be an application made before the expiry.**]**

(6) The time referred to in sub-paragraphs (4) and (5) above is—

[F31(za) where—

(i) at any time after the application is made, the licensing authority requests the applicant to give it further information for the purpose of enabling it to make a request, or make a further request, under paragraph 3(2)(a) of Schedule 33 to the Finance Act 2021 (request for confirmation of completed tax check) in relation to the application, and

(ii) at the end of the relevant period, the licensing authority continues to be prevented from considering the application by paragraph 3(2) of that Schedule to that Act,

the end of the relevant period; or**]**

(a) the time when the licence applied for under paragraph 1 above is granted or renewed, whether as a result of an appeal under paragraph 18 below or not, or has been deemed to have been granted or renewed; or

(b) where the licensing authority have refused that application, the time within which an appeal under paragraph 18 below against that decision may be made has elapsed; or

(c) where such an appeal has been lodged, the time when it has been abandoned or determined.

[F32(6A) In sub-paragraph (6)(za) "the relevant period" means—

(a) the period of 28 days beginning with the day on which the request under sub-paragraph (6)(za)(i) is made, or

(b) if the final day of that period is earlier than the day on which (disregarding sub-paragraphs (4) and (5)) the licence expires, the period ending with that later day.**]**

(7) Where a relevant objection or representation (within the meaning of paragraph 19 below) has been made in relation to an application for the grant of a licence, that licence shall not, unless it has been deemed to have been granted under section 3(4) of this Act, come into force until—

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(a) the time within which an appeal under paragraph 18 below against the grant of the licence may be made has elapsed; or

(b) where such an appeal has been lodged, it has been abandoned or determined in favour of the applicant.

(8) This paragraph is subject to paragraphs **[**F33 8A and**]** 11 to 14 below.

Textual Amendments

F30 Sch. 1 para. 8(5A) inserted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(g)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

F31 Sch. 1 para. 8(6)(za) inserted (11.7.2023) by Finance (No. 2) Act 2023 (c. 30), **s. 343(7)**

F32 Sch. 1 para. 8(6A) inserted (11.7.2023) by Finance (No. 2) Act 2023 (c. 30), **s. 343(8)**

F33 Words in Sch. 1 para. 8(8) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 32(2)** (with Sch. 5 para. 54); S.I. 2016/1037, reg. 5(i)

Modifications etc. (not altering text)

C3 Sch. 1 para. 8(3) extended by S.I. 1984/922, **art. 5**

*[*F34 *Taxi etc driving licences for persons subject to immunity control*

Textual Amendments

F34 Sch. 1 para. 8A and cross-heading inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 32(3)** (with Sch. 5 para. 54); S.I. 2016/1037, reg. 5(i)

8A (1) Sub-paragraph (2) applies if—

(a) a taxi driver's licence or private hire car driver's licence **[**F35 or booking office licence**]** is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period ("the leave period"),

(b) the person's leave has not been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision), and

(c) apart from sub-paragraph (2), the period for which the licence would have had effect would have ended after the end of the leave period.

(2) The licensing authority which grants the licence must specify a period in the licence as the period for which it has effect; and that period must end at or before the end of the leave period.

(3) Sub-paragraph (4) applies if—

(a) a taxi driver's licence or private hire car driver's licence **[**F36 or booking office licence**]** is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period, and

(b) the person's leave has been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision).

(4) The licensing authority which grants the licence must specify a period in the licence as the period for which it has effect; and that period must not exceed six months.

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(5) A taxi driver's licence or private hire car driver's licence ceases to have effect if the person to whom it was granted becomes disqualified by reason of the person's immigration status from driving a taxi or private hire car.

[F37(5A) A booking office licence ceases to have effect if the person to whom it was granted becomes disqualified by reason of the person's immigration status from holding a booking office licence.**]**

(6) Section 13A (persons disqualified by reason of immigration status) applies for the purposes of sub-paragraph (5) as it applies for the purposes of section 13(3A).

(7) If a licence granted in accordance with sub-paragraph (2) or (4) expires, the person to whom it was granted must, within the period of 7 days beginning with the day after that on which it expired, return the licence to the licensing authority.

(8) If sub-paragraph (5) applies to a licence, the person to whom it was granted must, within the period of 7 days beginning with the day after the day on which the person first became disqualified, return the licence to the licensing authority which granted the licence.

(9) A person who, without reasonable excuse, contravenes sub-paragraph (7) or (8) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(10) This paragraph applies in relation to the renewal of a licence as it applies in relation to the grant of a licence.**]**

Textual Amendments

F35 Words in Sch. 1 para. 8A(1)(a) inserted by S.S.I. 2009/145, Sch. para. 3A(a) (as inserted) (22.1.2018) by The Immigration Act 2016 (Consequential Amendments) (Licensing of Booking Offices Scotland) Regulations 2017 (S.I. 2017/1317), regs. 1, **6(a)** (with reg. 7)

F36 Words in Sch. 1 para. 8A(3)(a) inserted by S.S.I. 2009/145, Sch. para. 3A(b) (as inserted) (22.1.2018) by The Immigration Act 2016 (Consequential Amendments) (Licensing of Booking Offices Scotland) Regulations 2017 (S.I. 2017/1317), regs. 1, **6(a)** (with reg. 7)

F37 Sch. 1 para. 8A(5A) inserted by S.S.I. 2009/145, Sch. para. 3A(c) (as inserted) (22.1.2018) by The Immigration Act 2016 (Consequential Amendments) (Licensing of Booking Offices Scotland) Regulations 2017 (S.I. 2017/1317), regs. 1, **6(a)** (with reg. 7)

Notification of changes and alterations

9 (1) Where there is a material change of circumstances affecting a holder of a licence, or the activity to which the licence relates, the holder of the licence shall, in accordance with this paragraph, notify the licensing authority of the change as soon as reasonably practicable after it has taken place.

(2) The holder of a licence which relates to an activity consisting of or including the use of premises, a vehicle or a vessel shall not, unless in accordance with a requirement imposed by or in pursuance of any enactment other than Parts I or II of this Act, make or cause to be made or permit there to be made any material change in the premises or, as the case may be, the vehicle or vessel without the prior consent of the licensing authority.

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(3) A notification under sub-paragraph (1) above or application for consent under sub-paragraph (2) above shall be accompanied by such fee as the licensing authority may charge under paragraph 15 below.

(4) A licensing authority, before considering whether or not to give their consent under sub-paragraph (2) above, shall be entitled to require the holder of the licence to furnish them with specifications, including plans, of the proposed changes.

(5) A licensing authority, before deciding whether or not to give their consent under sub-paragraph (2) above, shall consult with the chief constable and, in the case of a change

[F38(a) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(b) any other premises**]** , with the **[**F39Scottish Fire and Rescue Service**]** .

(6) Where the licensing authority have given their consent under sub-paragraph (2) above to a change in premises or a vehicle or vessel, it shall not be necessary for the holder of the licence relating to those premises or that vehicle or vessel to notify the licensing authority of that change under sub-paragraph (1) above.

(7) A licensing authority shall, within 7 days of their decision under sub-paragraph (2) above, send written notice of their decision to the holder of the licence and the chief constable and, where the change is

[F40(a) to premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(b) to any other premises**]** , to the **[**F41Scottish Fire and Rescue Service**]** .

(8) In this paragraph, a "material change" includes any material change in the particulars given or referred to in the application for the grant, or, where the licence has been renewed, the most recent application for the renewal, of the licence.

Textual Amendments

F38 Words in Sch. 1 para. 9(5) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(e)(i)**

F39 Words in Sch. 1 para. 9(5)(b) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

F40 Words in Sch. 1 para. 9(7) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(e)(ii)**

F41 Words in Sch. 1 para. 9(7)(b) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Modifications etc. (not altering text)

C4 Sch. 1 para. 9(1)(8) extended by S.I. 1984/922, **art. 6**

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[F42 Variation, suspension and revocation of licences]

Textual Amendments

F42 Sch. 1 para. 10 cross-heading substituted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(a)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

10 (1) A licensing authority may, at any time, whether or not upon an application made to them by the holder of the licence, vary the terms of a licence on any grounds they think fit.

(2) A licensing authority, before proceeding to vary the terms of a licence under sub-paragraph (1) above—

(a) shall, not later than 7 days before the day on which the proposed variation is to be considered, notify the holder of the licence, the chief constable and, where the licence relates to an activity wholly or mainly carried on in premises, the **[**F43Scottish Fire and Rescue Service**]** of the proposed variation; and

(b) shall give each of the persons **[**F44required to be notified under**]** sub-sub-paragraph (a) above an opportunity to be heard by the authority on that day.

[F45(2A) Where the premises mentioned in sub-paragraph (2)(a) above are premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, that sub-paragraph applies as if the reference to the **[**F46Scottish Fire and Rescue Service**]** were a reference to the enforcing authority**]**

(3) A licensing authority shall have complied with sub-paragraph (2)(b) above if they have invited each of the persons whom they must notify under that sub-paragraph to attend and to be heard by the authority when the variation of the licence is to be considered.

(4) A licensing authority shall, within 7 days of their decision under sub-paragraph (1) above, send written notice of their decision to the holder of the licence and the chief constable and, where the licence relates to an activity wholly or mainly carried on

[F47(a) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(b) in any other premises**]** , to the **[**F48Scottish Fire and Rescue Service**]** .

(5) A variation in the terms of a licence shall come into force—

(a) when the time within which an appeal under paragraph 18 below may be made has elapsed; or

(b) where such an appeal has been lodged, when the appeal has been abandoned or determined in favour of the variation.

[F49(6) Sub-paragraph (5) does not apply to a deemed variation of the terms of a licence under section 3(4).**]**

Textual Amendments

F43 Words in Sch. 1 para. 10(2)(a) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

F44 Words in Sch. 1 para. 10(2)(b) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(f)(i)**

F45 Sch. 1 para. 10(2A) inserted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(f)(ii)**

F46 Words in Sch. 1 para. 10(2A) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

F47 Words in Sch. 1 para. 10(4) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(f)(iii)**

F48 Words in Sch. 1 para. 10(4)(b) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

F49 Sch. 1 para. 10(6) inserted (1.5.2017) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 77(4)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 4)

11 (1) A licensing authority may, whether upon a complaint made to them or not, suspend **[**F50or revoke**]** a licence in accordance with the provisions of this paragraph.

(2) A licensing authority may order the suspension **[**F51or revocation**]** of a licence if in their opinion—

(a) the holder of the licence or, where the holder is not a natural person, any director of it or partner in it or any other person responsible for its management, is not or is no longer a fit and proper person to hold the licence;

(b) the activity to which the licence relates is being managed by or carried on for the benefit of a person, other than the licence holder, who would have been refused the grant or renewal of the licence under paragraph 5(3) above;

(c) the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or public safety;

(d) a condition of the licence has been contravened.

[F52(2A) A licensing authority may order the suspension or revocation of a taxi driver's licence or a private hire car driver's licence **[**F53or a booking office licence**]** if the holder of the licence has, since its grant, been convicted of an immigration offence or required to pay an immigration penalty (see paragraph 20).

(2B) Sub-paragraph (2A) does not apply if—

(a) in a case where the holder of the licence has been convicted of an immigration offence, the conviction is a spent conviction within the meaning of the Rehabilitation of Offenders Act 1974, or

(b) in a case where the holder of the licence has been required to pay an immigration penalty—

(i) more than three years have elapsed since the date on which the penalty was imposed, and

(ii) the amount of the penalty has been paid in full.**]**

(3) A licensing authority may make an order under sub-paragraph (2)(d) above in respect of a contravention of a condition of a licence notwithstanding that there has been no conviction in that respect.

(4) In considering whether to suspend **[**F54or revoke**]** a licence the licensing authority may—

Changes to legislation: *Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(a) have regard to—

(i) any misconduct on the part of the holder of the licence, whether or not constituting a breach of any provision of Part I or II of this Act or this Schedule, which in the opinion of the authority has a bearing on his fitness to hold a licence;

(ii) where the licence relates to an activity consisting of or including the use of premises or a vehicle or vessel, any misconduct on the part of persons frequenting or using the premises, vehicle or vessel occurring there or any misconduct in the immediate vicinity of the premises, vehicle or vessel which is attributable to those persons;

(b) make such reasonable inquiries as they think fit and, subject to sub-paragraph (5) below, include the results of their inquiries in the matters to which they have regard in such consideration.

(5) Where a licensing authority intend to include any of the results of their inquiries under sub-paragraph (4)(b) above in the matters to which they have regard for the purposes of sub-paragraph (4) above, they shall notify the holder of the licence of that intention.

(6) A licensing authority may, whether upon an application made to them or not, recall an order **[**F55to suspend a licence**]** made under this paragraph.

(7) A licensing authority in considering whether or not to suspend **[**F56or revoke**]** a licence may, but before deciding to do so shall, give—

(a) the holder of the licence;

(b) any person who has made a complaint relevant to the matters to be considered at the hearing;

(c) the chief constable; and

(d) where the licence relates to an activity wholly or mainly carried on

[F57(a) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(b) in any other premises**]**, the **[**F58Scottish Fire and Rescue Service**]**,

an opportunity to be heard by the licensing authority.

(8) The licensing authority shall have complied with their duty under sub-paragraph (7) above if they have caused to be sent to the persons entitled under that sub-paragraph to an opportunity to be heard, not later that **[**F5914**]** days before the hearing, notice in writing that the authority propose to hold a hearing, together with a copy of any complaints relevant to the matters to be considered at the hearing and a note of the grounds upon which the suspension **[**F60or revocation**]** of the licence is to be considered and, where they decide to exercise their power under that sub-paragraph, they shall cause such notice, copy and note to be sent to those persons not later than that time.

(9) Where a licensing authority decide to order the suspension **[**F61or revocation**]** of a licence, the suspension **[**F62or, as the case may be, revocation**]** shall not, subject to sub-paragraph (10) below, take effect until the expiry of the time within which the holder of the licence may appeal under paragraph 18 below against the suspension **[**F62or, as the case may be, revocation**]** or, if such an appeal has been lodged, until it has been abandoned or determined in favour of the suspension **[**F62or, as the case may be, revocation**]**.

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(10) If, in deciding to order the suspension **[**[F63]or revocation**]** of a licence, a licensing authority determine that the circumstances of the case justify immediate suspension they may, without prejudice to their other powers under this paragraph, order that the licence shall be suspended immediately.

(11) The period of suspension of a licence under this paragraph shall be the unexpired portion of the duration of the licence, or such shorter period as the licensing authority may fix; and the effect of suspension shall be that the licence shall cease to have effect during the period of the suspension.

(12) A licensing authority shall, within 7 days of their decision under sub-paragraph (1) above, send written notice of their decision to the persons referred to in sub-paragraph (7)(a), (c) and (d) above in relation to the licence and to any person who, in pursuance of sub-paragraph (7)(b) above, was heard by the authority before they reached that decision.

Textual Amendments

F50 Words in Sch. 1 para. 11(1) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(b)(i)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F51 Words in Sch. 1 para. 11(2) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(b)(ii)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F52 Sch. 1 para. 11(2A)(2B) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 32(4)** (with Sch. 5 para. 55); S.I. 2016/1037, reg. 5(i)

F53 Words in Sch. 1 para. 11(2A) inserted by S.S.I. 2009/145, Sch. para. 3B (as inserted) (22.1.2018) by The Immigration Act 2016 (Consequential Amendments) (Licensing of Booking Offices Scotland) Regulations 2017 (S.I. 2017/1317), regs. 1, **6(a)** (with reg. 7)

F54 Words in Sch. 1 para. 11(4) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(b)(iii)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F55 Words in Sch. 1 para. 11(6) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(b)(iv)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F56 Words in Sch. 1 para. 11(7) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(b)(v)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F57 Words in Sch. 1 para. 11(7)(d) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(g)**

F58 Words in Sch. 1 para. 11(7)(d) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

F59 Word in Sch. 1 para. 11(8) substituted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(h)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

F60 Words in Sch. 1 para. 11(8) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(b)(vi)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F61 Words in Sch. 1 para. 11(9) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **s. 78(3)(b)(vii)**(A), 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F62 Words in Sch. 1 para. 11(9) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **s. 78(3)(b)(vii)**(B), 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F63 Words in Sch. 1 para. 11(10) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(b)(viii)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

12 (1) A licensing authority shall, whether upon a complaint made to them or not, order the suspension under this paragraph of a licence if they are of the opinion that the

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

carrying on of the activity to which the licence relates is causing or is likely to cause a serious threat to public order or public safety.

(2) In considering whether to suspend a licence under this paragraph, a licensing authority may make such reasonable inquiries as they think fit and include the results of their inquiries in the matters to which they have regard in such consideration.

(3) Where a licensing authority intend to include any of the results of their inquiries under sub-paragraph (2) above in the matters to which they have regard for the purposes of this paragraph they shall notify the holder of the licence of that intention.

(4) A licensing authority shall, before reaching a decision on the question whether or not to suspend a licence under this paragraph, consult the chief constable and, where the licence relates to an activity wholly or mainly carried on

[F64(a) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(b) in any other premises**]** , the **[**F65Scottish Fire and Rescue Service**]** .

(5) An order under this paragraph suspending a licence shall have effect from the date on which it is made until whichever is the earlier of the following two dates—

(a) a date six weeks after the order was made;

(b) the date of any decision of the leasing authority whether or not to suspend **[**F66or revoke**]** the licence under paragraph 11 above.

(6) A licensing authority may, whether upon an application made to them or not, recall an order made under this paragraph.

(7) A licensing authority shall, within 7 days of their decision under sub-paragraph (1) or (6) above, send written notice of their decision to the holder of the licence, the chief constable and, where the licence relates to an activity wholly or mainly carried on

[F67(a) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(b) in any other premises**]** , to the **[**F68Scottish Fire and Rescue Service**]** .

Textual Amendments

F64 Words in Sch. 1 para. 12(4) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(h)(i)**

F65 Words in Sch. 1 para. 12(4)(b) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

F66 Words in Sch. 1 para. 12(5)(b) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(c)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F67 Words in Sch. 1 para. 12(7) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(h)(ii)**

F68 Words in Sch. 1 para. 12(7)(b) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Supplementary

13 (1) A holder of a licence may at any time surrender the licence to the licensing authority and it shall thereupon cease to have effect.

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(2) A holder of a licence shall deliver the licence to the licensing authority—

(a) within 7 days after the coming into effect of a decision of a licensing authority to suspend **[**F69, revoke**]** or vary the terms of the licence or of a court, under section 7(6)(a) of this Act, to revoke it;

(b) where the licence relates to an activity which he has given up.

(3) A licensing authority shall, on making an order suspending **[**F70or revoking**]** a licence or on deciding to vary the terms of a licence, cause notice in writing to be given to the holder of the licence of his duty to deliver it under sub-paragraph (2) above.

(4) Where a licence has been surrendered under this paragraph on its revocation under section 7(6)(a) of this Act or its suspension **[**F71or revocation**]** under this Schedule and the revocation or suspension is quashed or recalled the licensing authority shall re-issue the licence.

Textual Amendments

F69 Word in Sch. 1 para. 13(2)(a) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(d)(i)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F70 Words in Sch. 1 para. 13(3) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(d)(ii)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F71 Words in Sch. 1 para. 13(4) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(d)(iii)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

14 (1) A licensing authority shall cause to be kept a register of applications under this Schedule (in this paragraph referred to as "the register") and shall, as soon as reasonably practicable after—

(a) the receipt of each application, cause details of such receipt; and

(b) their final decision on each application, cause details of that decision

to be entered in the register.

(2) The register shall include—

(a) a note of the kind and terms of each licence granted by the licensing authority;

(b) a note of any suspension, variation of the terms, **[**F72revocation**]** or surrender, of a licence.

(3) The register shall be open to the inspection of any member of the public at such reasonable times and places as may be determined by the licensing authority and any member of the public may make a copy thereof or an extract therefrom.

(4) A licensing authority may, on payment of such fee as they may charge under paragraph 15 below, issue a certified true copy of any entry in the register; and any document purporting to be certified by the proper officer of the licensing authority as a true copy of an entry shall be sufficient evidence of the terms of the original entry.

Textual Amendments

F72 Word in Sch. 1 para. 14(2)(b) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(e)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

Changes to legislation: *Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Fees

15 (1) A licensing authority shall, subject to sub-paragraph (2) below—

(a) in respect of applications made to them under this Schedule;

(b) in respect of the issue of certified duplicate licences under paragraph 5(7) above;

(c) in respect of their consideration of a material change of circumstances or in premises or a vehicle or vessel under paragraph 9 above and their disposal of the matter;

(b) in respect of the issue under paragraph 14 above of certified true copies

charge such reasonable fees as they may, in accordance with sub-paragraph (2) below, determine; and the authority may under this sub-paragraph determine different fees for different classes of business, and items of business may be classed for that purpose by reference to any factor or factors whatsoever.

(2) Subject to sub-paragraph (3) below, in determining the amount of the different fees under sub-paragraph (1) above, the licensing authority shall seek to ensure that from time to time the total amount of fees receivable by the authority is sufficient to meet the expenses of the authority in exercising their functions under Parts I and II of this Act and this Schedule.

(3) Sub-paragraph (2) above does not apply in respect of the fees and expenses in respect of which provision is made by section 12 of this Act.

Modifications etc. (not altering text)

C5 Sch. 1 para. 15(1): power to prescribe fees conferred by Salmon Act 1986 (c. 62, SIF 52:2), **ss. 20(2)**43(1)

Sending of notice by post

16 When a licensing authority sends by post, for the purposes of paragraphs 5(6), 9(7), 10(4), 11(12), or 12(7), written notice of its decision, it shall be treated as having been sent within the time required if it was posted so that in the normal course of post it might be expected to be delivered to the person concerned within that time.

[F73 Electronic communications

Textual Amendments

F73 Sch. 1 para. 16A and cross-heading inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 83(2)(b)**, 88(2); S.S.I. 2016/307, art. 2, sch.

16A (1) A licensing authority may determine to accept—

(a) applications for the grant or renewal of a licence under paragraph 1,

(b) objections or representations under paragraph 3,

(c) notifications of a change to a licence under paragraph 9,

by means of an electronic communication.

(2) Where a licensing authority make a determination under sub-paragraph (1) they must—

(a) specify in the determination—

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(i) the form of electronic communication by which applications, objections, representations or notifications may be made or given,

(ii) the electronic address to be used for making or giving applications, objections, representations or notifications, and

(iii) any means of authentication (in addition to an electronic signature) that are acceptable, and

(b) publicise the determination as they consider appropriate.

(3) In relation to an application, objection, representation or notification made or given by means of an electronic communication, any requirement of this Schedule for the application, objection, representation or notification—

(a) to be in writing is satisfied if the communication is—

(i) in the form specified under sub-paragraph (2)(a)(i), and

(ii) sent to the address specified under sub-paragraph (2)(a)(ii),

(b) to be signed is satisfied if the communication includes an electronic signature or is authenticated by a means specified under sub-paragraph (2)(a)(iii).

(4) A licensing authority may determine to—

(a) give notices under paragraphs 5, 9, 10, 11 or 12, and

(b) give reasons under paragraph 17,

by means of an electronic communication.

(5) A licensing authority may only give a notice or reasons by means of an electronic communication if—

(a) the person to whom the notice or reasons is or are to be given has agreed to receive notices and reasons by means of an electronic communication, and

(b) the communication is sent to an electronic address, and is in an electronic form, specified for that purpose by the person.

(6) In relation to any notice or reasons given by means of an electronic communication, any requirement of this Schedule for the notice or reasons to be given in writing is satisfied if the communication is sent in accordance with sub-paragraph (5).

(7) When a licensing authority gives a notice or reasons by means of an electronic communication then, unless the contrary is proved, it is to be treated as having been received by the person to whom it was sent on the second working day after the day on which it was sent.

(8) For the purposes of sub-paragraph (7), "working day" means a day which is not—

(a) a Saturday or Sunday,

(b) Christmas Eve or Christmas Day,

(c) a day which is a bank holiday in Scotland under the Banking and Financial Dealings Act 1971,

(d) a day appointed for public thanksgiving or mourning, or

(e) a day which is a local or public holiday in the area in which the electronic communication is to be sent.

(9) A licensing authority may make different determinations for different purposes including, in particular, for different types of licence.

(10) In this Schedule—

Changes to legislation: *Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

"electronic communication" is to be construed in accordance with section 15(1) of the Electronic Communications Act 2000,

"electronic signature" is to be construed in accordance with section 7(2) of the Electronic Communications Act 2000.**]**

Notification of the decisions and giving of reasons

17 (1) A licensing authority shall, within 10 days of being required to do so under sub-paragraph (2) below, give reasons in writing for arriving at any decision of theirs under this Schedule—

(a) to grant or renew a licence or to refuse to do so;

(b) to consent or to refuse to consent to a material change in any premises, vehicle or vessel;

(c) to vary or refuse to vary the terms of a licence;

(d) in relation to paragraph 11 above—

[F74(ai) to revoke a licence or to refuse to do so,**]**

(i) to suspend a licence or to refuse to do so;

(ii) as to the period of suspension;

(iii) ordering immediate suspension;

(e) to suspend a licence under paragraph 12 above or to refuse to do so.

(2) Reasons for a decision referred to in sub-paragraph (1) above shall be given by the licensing authority on a request being made to the authority by a relevant person within **[**F75**21]** days of the date of the decision.

(3) Nothing in this paragraph affects the power of the sheriff under paragraph 18 below to require a licensing authority to give reasons for a decision of the authority—

(a) which is being appealed to the sheriff under that paragraph; and

(b) for which reasons have not been given under this paragraph.

(4) In this paragraph, "relevant person" means—

(a) in respect of a decision specified in sub-paragraph (1)(a) above, the applicant or any person who made a relevant objection or representation (within the meaning of paragraph 19 below) in relation to the application to which the decision relates;

(b) in respect of a decision specified in sub-paragraphs (1)(b) to (e) above , the holder of the licence or the chief constable;

(c) in respect of a decision specified in sub-paragraphs (1)(b) to (e) above which relates to an activity wholly or mainly carried on

[F76(i) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(ii) in any other premises**]**, the **[**F77Scottish Fire and Rescue Service**]**;

(d) in respect of a decision to consent or to refuse to consent to a material change

[F78(i) in premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, the enforcing authority;

(ii) in any other premises**]**, the **[**F79Scottish Fire and Rescue Service**]**; and

(e) in respect of a decision specified in sub-paragraph (1)(d) above, any person who, in pursuance of paragraph 11(7)(b) above, was heard by the licensing authority.

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F74 Sch. 1 para. 17(1)(d)(ai) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(f)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F75 Word in Sch. 1 para. 17(2) substituted (28.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), **ss. 178(2)(i)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

F76 Words in Sch. 1 para. 17(4)(c) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(i)(i)**

F77 Words in Sch. 1 para. 17(4)(c)(ii) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

F78 Words in Sch. 1 para. 17(4)(d) substituted (1.10.2006) by The Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **sch. 1 para. 11(6)(i)(ii)**

F79 Words in Sch. 1 para. 17(4)(d)(ii) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 53(6)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Appeals

18 (1) Subject to sub-paragraph (2) below, a person who may, under this Schedule, require a licensing authority to give him reasons for their decision may appeal to the sheriff against that decision.

(2) A person shall be entitled to appeal under this paragraph only if he has followed all such procedures under this Schedule for stating his case to the licensing authority as have been made available to him.

(3) A licensing authority may be a party to an appeal under this paragraph.

(4) An appeal under this paragraph shall be made by way of summary application and shall be lodged with the sheriff clerk within 28 days from the date of the decision appealed against.

(5) On good cause being shown, the sheriff may hear an appeal under this paragraph notwithstanding that it was not lodged within the time mentioned in sub-paragraph (4) above.

(6) For the purposes of an appeal under this paragraph, the sheriff may, in the case of a decision of a licensing authority for which reasons have not been given by the authority under paragraph 17 above, require the authority to give reasons for that decision, and the authority shall comply with such a requirement.

(7) The sheriff may uphold an appeal under this paragraph only if he considers that the licensing authority, in arriving at their decision—

(a) erred in law;
(b) based their decision on any incorrect material fact;
(c) acted contrary to natural justice; or
(d) exercised their discretion in an unreasonable manner.

(8) In considering an appeal under this paragraph, the sheriff may hear evidence by or on behalf of any party to the appeal.

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[F80(8A) On an appeal under this paragraph relating to a taxi driver's licence or a private hire car driver's licence **[**F81or a booking office licence**]**, the sheriff is not entitled to entertain any question as to whether—

(a) a person should be, or should have been, granted leave to enter or remain in the United Kingdom, or

(b) a person has, after the date of the decision being appealed against, been granted leave to enter or remain in the United Kingdom.**]**

(9) On upholding an appeal under this paragraph, the sheriff may—

(a) remit the case with the reasons for his decision to the licensing authority for reconsideration of their decision; or

(b) reverse or modify the decision of the authority,

and on remitting a case under sub-sub-paragraph (a) above, the sheriff may—

(i) specify a date by which the reconsideration by the authority must take place;

(ii) modify any procedural steps which otherwise would be required in relation to the matter by or under any enactment (including this Act).

(10) In considering an appeal under this paragraph against suspension **[**F82or revocation**]** of a licence the sheriff may, pending his decision on the appeal, order the recall of any order by the licensing authority under paragraph 11(10) F83... or of any order made by the authority under paragraph 12 above but he shall not do so unless he is satisfied that all steps which in the circumstances were reasonable have been taken with a view to securing that notice of the appeal and an opportunity of being heard with respect to it have been given to the authority.

(11) The sheriff may include in his decision on an appeal under this paragraph such order as to the expenses of the appeal as he thinks proper.

(12) Any party to an appeal to the sheriff under this paragraph may appeal on a point of law from the sheriff's decision to the Court of Session within 28 days from the date of that decision.

Textual Amendments

F80 Sch. 1 para. 18(8A) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 32(5)**; S.I. 2016/1037, reg. 5(i)

F81 Words in Sch. 1 para. 18(8A) inserted by S.S.I. 2009/145, Sch. para. 3C (as inserted) (22.1.2018) by The Immigration Act 2016 (Consequential Amendments) (Licensing of Booking Offices Scotland) Regulations 2017 (S.I. 2017/1317), regs. 1, **6(a)** (with reg. 7)

F82 Words in Sch. 1 para. 18(10) inserted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(g)(i)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

F83 Words in Sch. 1 para. 18(10) repealed (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 78(3)(g)(ii)**, 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[F84 Power to make provision about hearings

Textual Amendments

F84 Sch. 1 para. 18A and cross-heading. inserted (1.12.2015) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 79(2)**, 88(2); S.S.I. 2015/382, art. 2, sch.

18A (1) The Scottish Ministers may by regulations make provision as to the procedure to be followed at, or in connection with, any hearing to be held by a licensing authority under this Schedule.

(2) Regulations under this paragraph may, in particular, make provision—

(a) for notice of the hearing to be given to such persons as may be prescribed in the regulations,

(b) about the rules of evidence which are to apply for the purposes of the hearing,

(c) about the representation of any party at the hearing,

(d) as to the times by which any step in the procedure must be taken, and

(e) as to liability for expenses.

(3) Regulations under this paragraph may make different provision for different purposes including, in particular, different types of licence.

(4) Regulations under this paragraph are subject to the negative procedure.**]**

[F85 How hearings may be held

Textual Amendments

F85 Sch. 1 para. 18B and cross-heading inserted (1.10.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), **ss. 30(2)**, 59(1)

18B (1) A licensing authority may determine that a hearing is to be held—

(a) in person,

(b) wholly through the use of remote facilities, or

(c) partly in person and partly through the use of remote facilities.

(2) When determining how a hearing is to be held, a licensing authority must take account of any views given on that issue by any person who notifies the authority of an intention to participate in the hearing.

(3) In sub-paragraph (1), "remote facilities" means any equipment or facility which—

(a) enables persons who are not in the same place to participate in the hearing, and

(b) enables those persons to speak to and be heard by each other (whether or not it enables those persons to see and be seen by each other).**]**

Interpretation

19 In this Schedule, "relevant objection or representation" means—

(a) in paragraphs 1 to 4, objection or representation which, under paragraph 3 above, the licensing authority are obliged to or intend to entertain; and

Changes to legislation: *Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(b) in the other paragraphs, an objection or representation which, under the said paragraph 3, they were obliged to or intended to entertain.

[F86 20 (1) In this Schedule "immigration offence" means an offence under any of the Immigration Acts.

(2) In this Schedule "immigration penalty" means a penalty under—

(a) section 15 of the Immigration, Asylum and Nationality Act 2006 ("the 2006 Act"), or

(b) section 23 of the Immigration Act 2014 ("the 2014 Act").

(3) For the purposes of this Schedule a person to whom a penalty notice under section 15 of the 2006 Act has been given is not to be treated as having been required to pay an immigration penalty if—

(a) the person is excused payment by virtue of section 15(3) of that Act, or

(b) the penalty is cancelled by virtue of section 16 or 17 of that Act.

(4) For the purposes of this Schedule a person to whom a penalty notice under section 15 of the 2006 Act has been given is not to be treated as having been required to pay an immigration penalty until such time as—

(a) the period for giving a notice of objection under section 16 of that Act has expired and the Secretary of State has considered any notice given within that period, and

(b) if a notice of objection was given within that period, the period for appealing under section 17 of that Act has expired and any appeal brought within that period has been finally determined, abandoned or withdrawn.

(5) For the purposes of this Schedule a person to whom a penalty notice under section 23 of the 2014 Act has been given is not to be treated as having been required to pay an immigration penalty if—

(a) the person is excused payment by virtue of section 24 of that Act, or

(b) the penalty is cancelled by virtue of section 29 or 30 of that Act.

(6) For the purposes of this Schedule a person to whom a penalty notice under section 23 of the 2014 Act has been given is not to be treated as having been required to pay an immigration penalty until such time as—

(a) the period for giving a notice of objection under section 29 of that Act has expired and the Secretary of State has considered any notice given within that period, and

(b) if a notice of objection was given within that period, the period for appealing under section 30 of that Act has expired and any appeal brought within that period has been finally determined, abandoned or withdrawn.**]**

Textual Amendments

F86 Sch. 1 para. 20 inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 32(6)**; S.I. 2016/1037, reg. 5(i)

[F87 21. (1) In this Schedule–

(a) "booking office licence" means a licence for an activity designated as an activity for which a licence under Part I of the Act is required by article 2(1) of the 2009 Order, and

***Changes to legislation:** Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(b) "relevant premises" and "relevant vehicle" have the same meaning as in the 2009 Order.

(2) In this paragraph "the 2009 Order" means the Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009.**]**

Textual Amendments

F87 Sch. 1 para. 21 inserted by S.S.I. 2009/145, Sch. para. 4 (as substituted) (22.1.2018) by The Immigration Act 2016 (Consequential Amendments) (Licensing of Booking Offices Scotland) Regulations 2017 (S.I. 2017/1317), regs. 1, **6(b)** (with reg. 7)

Changes to legislation:
Civic Government (Scotland) Act 1982, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 January 2026. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :

- s. 22(1)(c) repealed by 2015 asp 10 s. 65(3)
- s. 49(9) added by 2010 asp 13 s. 200(1)(b)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(c) repealed by 2015 asp 10 s. 65(3)
- s. 49(9) added by 2010 asp 13 s. 200(1)(b)

From:
To: Misc Licensing
Subject: Formal objection to Uber Scot Limited booking office application at Rosyth Business Centre
Date: 11 February 2026 20:04:32

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear sir/madam,

I'm writing to formally note my objection to the Uber Scot Limited booking office application at Rosyth Business Centre, Unit 18, Cromarty Campus, KY11 2WX.

I operate Abbey Taxis Dunfermline and have held a driver & vehicle taxi & private hire licences for many years. With my father Michael Snedker operating for decades before me.

I am deeply concerned by Uber Scot Limited's application for a booking office for a number of reasons which i'm certain affect my fellow owner operators in Fife. Since the unfortunate Covid-19 pandemic the operating conditions for taxis in Fife has been increasingly difficult. With rising operating costs such as fuel, insurance and vehicle repair costs as well as disruption to worldwide vehicle spare part supply chain. This coupled with much lower passenger numbers have squeezed operators to a worrying position and towards consideration of winding up.

Uber are well known worldwide for offering low cost taxis & setting their own low fares (both high or low fares). The worry is that if the expected fare undercutting occurs then many operators like me will not be able to compete and will be forced to cease operating.

I do note Fife Council have been very protective and fair with all taxi operators for the entire period my family have operated taxis in Fife. Fife Council ensures the highest standards in passenger comfort & safety. I just urge you to listen to local Fife taxi and private hire operators & drivers and continue to protect and support us in continuing to operate and maintain ours and your very high standards.

I thank you for you time and consideration of this objection and urge you to consider all other objections from the public and taxi operators alike.

Yours faithfully,

Stephen Snedker
Owner Operator Abbey Taxis Dunfermline

From:
To: Misc Licensing
Subject: OBJECTION -Booking Office Licence Application – Uber Scot Ltd-Rosyth Business Centre, Unit 18, 16 Cromarty Campus, KY11 2WX (23/01/2026)
Date: 15 February 2026 15:45:05

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Objection to Booking Office Licence Application – Uber Scot Ltd
Applicant: Uber Scot Ltd, Office 2.20, 83 Princes Street, Edinburgh, EH2 2ER
Premises: Rosyth Business Centre, Unit 18, 16 Cromarty Campus, KY11 2WX
Application Date: 23 January 2026

Objector: Martin Liszka, West Fife Taxi Operator, licensed operator for 33 years
Introduction
I submit this objection under the statutory framework of the Civic Government (Scotland) Act 1982, which sets out clear grounds for assessing booking-office applications. My concerns relate to the applicant's fitness, public safety, the public interest, and the suitability of the premises—each of which is a valid ground for refusal under Schedule 1 of the Act. I also refer to Fife Council's established expectations for operators connected to licensed premises.
1. Fit and Proper Person – Schedule 1, Paragraph 5(3)(a)
The Licensing Committee must be satisfied that the applicant is a fit and proper person to hold a licence.
Across the UK, regulators have repeatedly raised concerns about Uber's compliance with licensing conditions, driver verification processes, and reporting mechanisms. These issues are directly relevant to Fife Council because the "fit and proper" test is not restricted to conduct within Fife; it includes the applicant's wider compliance history.
Fife Council has consistently required operators to demonstrate robust, reliable, and locally accountable systems. Uber's remote-management model does not provide the level of local oversight or accountability that this authority typically expects.
2. Public Safety – Schedule 1, Paragraph 5(3)(c)(i)
The Committee must consider whether the proposed activity could present a risk to public safety.
Booking offices linked to licensed premises require:
• controlled pick-up and drop-off arrangements
• clear traffic management
• on-site supervision
• the ability to respond to incidents in real time
Uber's model relies entirely on remote management, with no physical presence at the premises. This raises significant concerns, including:
• unmanaged vehicle movements
• risks to pedestrian safety
• increased vulnerability of intoxicated individuals
• no on-site representative to intervene or coordinate during incidents
These are critical considerations for Fife Council, particularly in areas with late-night activity and elevated public-safety risks.
3. Public Interest – Schedule 1, Paragraph 5(3)(c)(ii)
The Committee must also consider the wider public interest.
Fife Council has a long-established, regulated taxi and private-hire sector that provides:
• consistent service levels
• local accountability
• predictable availability

• compliance with local conditions, including regulated fares without surge pricing
Any operator working from licensed premises should support these objectives. Uber's model—dependent on variable driver availability, remote oversight, and surge-based pricing—does not provide the stability, fairness, or reliability expected in the public interest, especially during peak periods associated with licensed venues.
4. Suitability of the Premises – Schedule 1, Paragraph 5(3)(c)(iii)
The Act allows refusal where the premises are not suitable or convenient for the proposed activity.
Many licensed premises in Fife lack:
• designated pick-up points
• supervised waiting areas
• space for multiple vehicles
• infrastructure to manage traffic flow
Without on-site control, the risks include:
• congestion
• unsafe stopping
• conflict with existing taxi ranks
• obstruction of footpaths or carriageways
Fife Council has historically placed strong emphasis on premises suitability. Uber's model does not provide the mechanisms required to ensure safe, orderly operation in these environments.
5. Service Standards – Section 13(3)
Section 13(3) empowers the authority to impose conditions to secure:
• safety
• service quality
• proper conduct of the trade
Uber's model does not guarantee:
• local route knowledge
• familiarity with Fife Council licensing conditions
• compliance with premises-specific safety requirements
• consistent service standards across all drivers
These factors are relevant to assessing whether the operator can meet the standards expected within Fife.
Conclusion
The Civic Government (Scotland) Act 1982 provides clear statutory grounds for assessing this application. Based on the issues outlined—fitness, public safety, public interest, and the suitability of the premises—I submit that this application does not meet the requirements of the Act.
I therefore respectfully request that the Licensing Committee refuse the application. I also ask to be invited to attend the committee hearing, and any subsequent appeal, so that I may present my concerns in person as to why the licence should be refused.

Regards
Martin Liszka
West Fife Taxi Operator
Licensed by Dunfermline & District Council and now Fife Council for 33 years

SCOTTISH STATUTORY INSTRUMENTS

2009 No. 145

LICENCES AND LICENSING

The Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009

Made - - - -	*2nd April 2009*
Coming into force	*3rd April 2009*

THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF BOOKING OFFICES) ORDER 2009

1. Citation, commencement and interpretation
2. Licensing of booking offices
3. Application of Part I of the Act
4. Transitional provision

Signature

SCHEDULE APPLICATION OF PART I OF THE ACT

1. Part I of the Act shall have effect subject to...
2. In section 6 (powers of entry to and search of...
3. In paragraph 5 (disposal of applications for the grant and...
4. After paragraph 19 (interpretation) of Schedule 1 insert– In this Schedule, “relevant premises” and “relevant vehicle” have the...

Explanatory Note

Objection Letter

Formal Letter of Objection

10/02/2026

To Whom It May Concern,

I am writing to formally submit an objection regarding the proposed booking office for Uber Scot Limited at 16 Cromarty Campus, Rosyth, KY11 2WX. I respectfully request that my concerns, as set out below, are taken into consideration before any final decision is made on this matter.

Grounds for Objection

1. Licensing Concerns

It is my understanding that Uber is not currently licensed to operate in Fife. This raises significant questions as to why the company requires a booking office at this location. I request a detailed explanation regarding the necessity for establishing a booking office for a company that does not hold the relevant local operating licence. Any supporting facts or documentation concerning Uber's licensing status in Fife would be greatly appreciated to clarify this issue. Your own website clearly states taking bookings, by means of communication, from members of the public for the hire of a vehicle which is a licensed taxi or private hire car.

2. Traffic and Parking Issues

As Uber is a private hire company, I would like to understand if there is an intention to store vehicles at this site. If so, further clarification is required regarding how many vehicles are expected to be kept there. I also seek confirmation as to whether an assessment has been conducted on the impact that storing vehicles at this location may have on other company's operations and on traffic in the surrounding area.

3. Possible Issuing Of Licences

Demand for Private Hire Vehicles

According to reports issued by Fife Council, it has been established that there is currently no unmet demand for taxi or private hire services within the Fife area. In light of this, clarification is sought as to whether the council intends to impose a cap or limit on the number of private hire vehicles permitted to operate in Fife, should Uber choose to submit an application for such services.

4. Capacity of Fleet Services and Licensing

It is important to consider whether the fleet services and licensing departments possess the necessary capacity to issue and monitor an additional 100 or more vehicles, should Uber Scot Limited proceed with their application. Clarification is required regarding the resources and infrastructure available within Fife Council to manage such an increase in vehicle numbers, including the ability to process new licences and effectively oversee operations. An assessment of the council's current capacity to fulfil these responsibilities is respectfully requested.

Request for Consideration

I believe the above points warrant careful consideration and a thorough review by the appropriate authorities. I kindly request an acknowledgement of receipt of this objection, and I would appreciate information regarding the steps that will be taken in response to these concerns.

If you require any further information or supporting documentation, please do not hesitate to contact me at the details provided below.

Thank you for your attention to this important matter.

Yours faithfully,

TONY BEATTIE

Guidance Notes for Applicants
Booking Office Licence

Introduction
This guidance is provided for your information only and is not prepared as a substitute for any independent legal advice. If this is required you should contact your solicitor.

A Booking Office licence is required for the use of premises for the carrying on of a business which consists to any extent of the taking bookings, by means of communication, from members of the public for the hire of a vehicle which is a licensed taxi or private hire car. Premises are exempt from a Booking Office Licence if the number of vehicles in respect of which bookings are taken does not exceed 3 at any time.

Application

Application fees are non-refundable. You can apply for a 3 year licence.

Your application will not be processed until payment has been made by credit or debit card.

The application can be downloaded at this link: Taxi & Private Hire Licences | Fife Council

Please note that if you apply as a company or partnership then you will have to provide details of the day-to-day manager. You should be aware that the day-to-day manager is a joint licenceholder and as such if they cease to be so at any time within the duration of the licence then a new application with the applicable fee will be required.

Register of Applications
Fife Council will keep a register of applications in which it will enter the date of receipt, the name and address of the applicant, the decision, the issue date and duration of the licence, and a note of any suspension, variation or surrender of the licence. This information is available for inspection by any member of the public.

Notification to the Public:- The Civic Government (Scotland) Act 1982 requires that all licence applications involving premises are notified to members of the public. As part of the application process for this type of licence, you must display a completed notice of application (form BO2) in a prominent place at your premises. This must be displayed for a period of 21 days starting on the day that the application is submitted to Fife Council. Once the 21 day period has passed, the certificate of compliance declaration (form BO3) must be completed, dated and returned by email to Misc.licensing@fife.gov.uk

Application Process
The Civic Government (Scotland) Act 1982, prohibits the Council from making a decision on your application until a minimum of 28 days has passed from the date of application. During this time any person can object to your application.

Applications will be copied to Police Scotland (Fife Division) and the relevant Council Services. On receipt of a reply from these consultees the licence will either be granted by the Licensing Team, or where there are any representations or objections to an application, the application will be considered at a meeting of the Regulation & Licensing Committee, to which the applicant and any objectors will be invited to attend.

The majority of applications with no representations or objections will take 4-6 weeks to process, however applications that are to be considered by the Regulation & Licensing Committee will take longer to determine. The Council has a maximum of 9 months from the date of application within which to make its decision.

Previous Convictions
A full police record check is undertaken for all applicants and Police Scotland (Fife Division) may report on any incidents applicants have been involved in which required Police assistance. This may include incidents that have not reached the Court, incidents resulting in “no proceedings” by the Court and any outstanding Court cases. The provisions of the Rehabilitation of Offenders Act 1974 apply to convictions.

Refusal
You will be informed of the Regulation & Licensing Committee's decision, in writing, within 7 days of the date of the hearing. If your application has been refused you may appeal against the decision, to Kirkcaldy Sheriff Court, within 28 days of the date of the decision.

If you have been refused Fife Council will not entertain a subsequent application, within one year of the refusal, for the same type of licence unless in its opinion there has been, since the refusal, a material change of circumstances.

Conditions of Licence
A copy of the standard conditions applicable to this licence is attached. Fife Council requires all licenceholders to have a thorough understanding of these conditions. The Committee can, if it wishes, impose additional conditions and can grant the licence for a shorter period than that applied for.

Renewal Applications
If an application for the renewal of a licence is made before its expiry, the existing licence shall continue to have effect until, the renewal of licence has been granted or where the Council has refused that application, the time within which an appeal against the decision can be lodged has elapsed or, where such an appeal has been lodged, the time when it has been abandoned or determined.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF BOOKING OFFICES) ORDER 2009 BOOKING OFFICE LICENCE CONDITIONS

1. A record has to be kept of every booking for the hire of a vehicle taken at the premises.

2. A record has to be kept of:-
   (a) the registration number of the vehicle which was hired as a result of the booking being taken at the premises;
   (b) the name of its driver at the time of that hire.

3. The licenceholder shall make the records available for inspection at any reasonable time to the Licensing Authority and such records must be kept for a period of 3 years.

4. The licenceholder shall take all reasonable steps to ensure that any booking taken at the premises from a member of the public for the hire of a vehicle results in the hire of a vehicle which:-
   (a) is a licensed taxi or private hire car; and
   (b) is being driven by a person who holds a current taxi or private hire car driver's licence.

FIFE COUNCIL

Civic Government (Scotland) Act 1982

NOTICE OF APPLICATION – LICENSING OF BOOKING OFFICES

NOTICE IS HEREBY GIVEN that application has been made on (date)_____

to Fife Council for a Booking Office Licence in respect of premises at

(address)_____

Days and Times of Operation _____

by Name of Applicant / Business - _____

Address - _____

_____

_____

Day to Day Manager - _____

Address - _____

_____

_____

OBJECTIONS AND REPRESENTATIONS

Any objections and representations in relation to the application may be made to Fife Council, Licensing Team, Finance & Corporate Services, Fife House, North Street, Glenrothes generally within 28 days of the abovementioned date. Objections and representations should be made in accordance with the following provisions, namely:-

1. Any objection or representation relating to an application for the grant or renewal of a licence will be entertained by the Council if, but only if, the objection or representation -
   - (a) is in writing;
   - (b) specifies the grounds of the objection or, as the case may be, the nature of the representation;
   - (c) specifies the name and address of the person making it;
   - (d) is signed by him or her or on their behalf;
   - (e) is made to the Council within 28 days of whichever is the later or latest of the following dates -
     - (i) where public notice of the application was advertised in a newspaper, the date when it was first so advertised;
     - (ii) where the Council has required the applicant to display the Notice for a second time, the date the Council specified in the second notice;
     - (iii) in any other case, the date when the application was made to the Council.
2. Notwithstanding 1. (e) above, it shall be competent for the Council to entertain an objection or representation received by it before it takes a final decision on the application if it is satisfied that there is sufficient reason why the objection or representation was not made in the time required.
3. An objection or representation shall be made for the purposes of 1. above if it is delivered by hand, within the time limit specified, to the Council or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered within that time.

Any objection / representation submitted to the Licensing Team will be copied in full to the applicant. It is likely that the person making the objection / representation will be invited to attend the Regulation & Licensing Committee to speak in support of their objection / representation prior to the application being determined.

PLEASE NOTE THIS DECLARATION SHOULD ONLY BE COMPLETED AND RETURNED TO FIFE COUNCIL ONCE THE NOTICE OF APPLICATION BO2 HAS BEEN DISPLAYED FOR THE 21 DAY PERIOD.

FIFE COUNCIL
CIVIC GOVERNMENT (SCOTLAND) ACT 1982
BOOKING OFFICE LICENCE
CERTIFICATE OF COMPLIANCE

I,_____

applicant for a Booking Office Licence, hereby certify that a Notice has been posted at or near

the premises at_____

_____

_____

from (date)_____ to (date)_____

containing such information as is required by paragraph 2(3) of Schedule 1 to the above Act.

* Where the said Notice was removed, obscured or defaced during the above-mentioned period, I took reasonable steps for its protection and replacement as follows:-
(give details and circumstances)

Date_____ Signature_____

* Delete if not applicable

From:	
To:	Misc Licensing
Cc:	Craig Ritchie-LS
Subject:	Objection to Application by Uber Scot Limited – Booking Office Licence (Rosyth Business Centre, Unit 18, 16 Cromarty Campus, KY11 2WX) – Application dated 23 January 2026
Date:	11 February 2026 14:31:13

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

Objection to Application by Uber Scot Limited – Booking Office Licence (Rosyth Business Centre, Unit 18, 16 Cromarty Campus, KY11 2WX) – Application dated 23 January 2026

I write to formally object to the above application.

My objection is based on concerns relating to regulatory fairness, public safety, economic impact, and consistency of licensing standards within Fife.

As a licensed taxi operator in Fife, I am required to comply with extensive and costly regulatory requirements imposed by the Council. These include:

- A restricted and capped taxi plate system
- Twice-yearly vehicle inspections and compliance testing
- High vehicle specification standards
- Substantial licensing fees
- Specialist taxi insurance at significant cost
- PVG/Police Scotland background checks
- Ongoing compliance monitoring
- Holding and maintaining a taxi driver's badge

These measures are designed to protect public safety and maintain professional standards within the trade. Licensed operators have made significant financial investments based on this regulated and capped system.

Taxi plate numbers in Fife are limited. This restriction directly affects livelihoods and the value of existing licences, as supply is controlled by the Council.

I am deeply concerned that granting this Booking Office Licence may effectively allow the operation of an unlimited number of private hire ("white") plates without similar numerical restriction. If this is the case, it would create a two-tier licensing system:

- One sector (taxis) operating under strict numerical caps and high compliance costs
- Another sector (private hire linked to Uber) potentially able to expand without equivalent restriction

This raises serious questions of fairness, proportionality, and consistency in licensing policy.

In addition, there is widespread concern within the trade that drivers operating via app-based platforms may not always be subject to the same visible and enforceable standards as local taxi drivers. I respectfully ask the Committee to clarify:

1. Will all drivers operating under this booking office be required to hold a valid Fife private hire driver licence and badge?

2. Will they be subject to identical PVG/Police checks, safeguarding requirements, and ongoing monitoring?

3. Will all vehicles undergo the same inspection regime and meet identical safety and compliance standards as licensed taxis?

4. Will appropriate taxi/private hire insurance be mandatory and rigorously enforced?

5. Does the Council intend to apply any numerical control to private hire plates associated with this operation?

Licensed taxi operators are required to attend vehicle inspections twice per year, often at considerable expense due to the high standard of vehicles required. We also pay significantly higher insurance premiums for taxi-specific cover. These costs are part of operating within a regulated framework.

If another sector is permitted to operate with lower barriers to entry, fewer restrictions, or without equivalent financial and regulatory burdens, this amounts to unfair competition and undermines those who have complied fully with Council policy.

Public safety and regulatory consistency must remain paramount. A licensing regime that caps one part of the trade while allowing another to operate without similar restriction risks damaging confidence in the system and destabilising the local taxi industry.

I respectfully request that this objection be fully considered by the Licensing Committee and that clarity be provided on how fairness, safety, and proportionality will be maintained before any decision is made.

Kind regards

Tomas Faja

Tariq Ali

11th February 2026

Licensing Committee
Fife Council

Dear Members of the Licensing Committee,

RE: FORMAL OBJECTION – BOOKING OFFICE LICENCE APPLICATION – UBER SCOT LIMITED

I write to formally OBJECT to the application submitted by Uber Scot Limited for the grant of a Booking Office Licence within Dunfermline under the Civic Government (Scotland) Act 1982.

I am the owner of Taz's Taxi's, a small independent taxi business operating locally within Dunfermline. We currently operate two licensed vehicles and have served the community for several years, providing a reliable, accountable and community-focused transport service to residents, including elderly and vulnerable passengers and local workers.

It is my firm view that granting this licence would have a significant adverse effect on existing licensed operators and would not be in the wider public interest. Approval of this application risks market oversaturation, threatens the viability of small local businesses, and would cause economic and practical harm to the local community.

- Threat to the viability of existing licence holders – Small, family-run operators rely entirely on local fares to remain operational. The introduction of a large multinational operator with substantial financial backing and aggressive pricing structures would remove work from established drivers and place livelihoods at serious risk, potentially forcing long-standing local businesses to close.
- Market oversaturation – The current taxi provision already supports the needs of the Dunfermline area. Introducing a high-volume national booking platform risks flooding the market with additional vehicles, reducing available work per driver and destabilising the licensed trade.
- Unfair competitive advantage – Uber's scale and financial resources allow it to subsidise fares and operate in a manner that independent operators cannot reasonably compete with. This creates an imbalance in the marketplace and undermines fair and sustainable competition.
- Loss of local economic benefit – Independent taxi businesses reinvest earnings directly into the local economy through wages, servicing, fuel, insurance, and other local suppliers. In contrast, profits generated by multinational operators are largely extracted from the area, resulting in limited benefit to Dunfermline or Fife.
- Increased congestion and operational disruption – A substantial rise in vehicles connected to one booking office is likely to contribute to additional traffic congestion, parking pressures, and safety concerns within the town centre and surrounding residential streets.
- Community harm and reduced accountability – Local operators provide a personal, responsible, and accountable service with strong local knowledge and direct customer relationships. Replacing this with a remote, app-based model risks reducing oversight, lowering service

standards, and weakening community trust. The resulting loss of local businesses and jobs would represent tangible harm to the community.

For all of the above reasons, I respectfully but firmly request that the Committee refuse this application in order to protect existing licence holders, safeguard local employment, and prevent unnecessary harm to the Dunfermline community.

Thank you for your time and consideration of this formal objection.

Yours faithfully,

Tariq Ali
Owner – Taz's Taxi's

From:
To: Misc Licensing
Cc:
Subject: Inquiry Regarding Uber Operations in Fife and Impact on Local Taxi Drivers
Date: 11 February 2026 18:11:27

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Licensing Department,

I hope this email finds you well.

I am writing as a licensed taxi driver operating within Fife to seek clarification regarding the recent developments and discussions about Uber potentially commencing operations in the area.
There is growing concern among local taxi drivers about the possible impact this may have on our livelihoods. Many of us rely solely on this profession to support our families, and the introduction of a large operator such as Uber could significantly affect our business and income.
I would be grateful if you could kindly provide information on whether Uber has been granted a licence to operate in Fife, and if so, when they are expected to commence services. Additionally, I would appreciate any information on what measures, if any, the Council is considering to ensure fair competition and to protect the interests of existing licensed taxi drivers.

Yours faithfully,
Ali Usman Shahid
Licensed Taxi Driver
Fife

From:
To: Misc Licensing
Subject: Re Objection UBER in Fife
Date: 12 February 2026 11:11:37

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning,

We are a small local taxi firm with white plates only, and we are worried regarding the rumour with Uber in Fife.
As a small business is hard to compete with larger companies well known in Kirkcaldy already.
With customers complaining with the waiting times, not knowing there are a lot of white plates around the area, if Uber takes place in Fife, all our local taxi firms will be put aside and all taxi ranks will vanish, leaving local taxi drivers with no jobs.
And then comes the safety of our community, which will leave a good question mark.

We do have a suggestion that will probably maximise the use of local taxi firms in the area, by simply allowing white plates the use of taxi ranks which are empty most part of the day, or sign the cars that indicates that this is a taxi, and local customers are safe to use, where all of us here are committed to provide a safe, respectful and professional transportation experience for all our customers.

With regards,

Radu Doja

Objection to Uber Establishing an Office in Rosyth

Concerns Regarding Uber's Operations in Fife

I wish to formally object to Uber being granted permission to open an office in Rosyth on the grounds that they do not currently operate within Fife. A significant concern is whether the council possesses the resources and capacity to enforce restrictions, ensuring that Uber does not seek hires within the Fife area. Furthermore, there are questions about whether the council has sufficient manpower to conduct the necessary checks on vehicle plates and hackney carriage badges. At present, there are instances where plates and hackney badges are out of date, raising doubts about the council's ability to handle increased demands if Uber were permitted to operate in Fife.

Enforcement and Staffing Issues

Should Uber be granted a licence to operate within Fife, it is imperative to consider if additional staff will be employed to meet the increased demands, particularly in terms of enforcement officers who would be responsible for managing the situation. There is a genuine concern that the current enforcement resources are inadequate, and the arrival of Uber could exacerbate these issues.

Impact on Local Taxi Trade

Another major concern is the potential negative impact on the local taxi industry. We have previously been asked to remain available for late-night hires when nightclubs close at weekends, but this may not be financially viable if Uber vehicles are stationed near pubs and clubs, potentially claiming to have bookings when, in reality, they do not. There have already been occasions, particularly when cruise ships are docked at Rosyth, where more than twenty Uber vehicles have appeared for a single ship turnaround. In response, local taxi drivers have held constructive meetings with port managers and successfully arranged for separate parking away from the terminal and taxi rank to prevent Uber drivers from taking street hires.

If Uber is allowed to operate more extensively in Fife, there is a real fear that such incidents will become a nightly occurrence, with Uber vehicles attempting to pick up passengers from the street, and current enforcement resources being insufficient to address this. Additionally, there is concern that Uber drivers from Edinburgh, using Edinburgh plates, will come into Fife to take local hires, bypassing local regulations. This issue has been observed elsewhere and is frequently discussed in taxi forums.

Request for Council Action

Given these concerns, I respectfully request the council to clarify what actions will be taken to protect the interests of the local taxi trade in Fife if Uber is permitted to establish an office in Rosyth. It is essential that measures are put in place to ensure fair competition, adequate enforcement, and the safeguarding of local drivers' livelihoods.

Thank you for your attention to this important matter.

Yours faithfully,

ALISTER McLELLAND

From:
To: Misc Licensing
Cc: EnforcementOfficer
Subject: Objection to Booking Office Licence Application – Uber
Date: 14 February 2026 06:43:58

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To: Licensing Team
Finance & Corporate Services
Fife Council
Fife House
North Street
Glenrothes

Re: Objection to Booking Office Licence Application – Uber Scot Limited

Dear Sir/Madam,

I write to formally object to the application submitted by Uber Scot Limited, whose business address is:

Rosyth Business Centre
Unit 18
16 Cromarty Campus
Rosyth
KY11 2WX

for the grant of a Booking Office Licence under the provisions of the Civic Government (Scotland) Act 1982 and the Licensing of Booking Offices (Scotland) Order 2009.

---

1. Failure to Demonstrate Operational Capacity to Lawfully Fulfil Bookings

Condition 1 of the Booking Office Licence requires that a record be kept of every booking for the hire of a vehicle taken at the premises.

Condition 4 further requires that the licence holder take all reasonable steps to ensure that any booking taken results in the hire of:

- (a) a licensed taxi or private hire car; and
- (b) a vehicle driven by a person who holds a current taxi or private hire driver's licence.

I respectfully request confirmation from Fife Council as to whether Uber Scot Limited

has applied to license any vehicles as private hire vehicles within the Fife Council area.

If no such vehicles are licensed — or intended to be licensed — in connection with this application, then the applicant does not have the operational means to fulfil bookings in compliance with the mandatory licence conditions.

A Booking Office Licence is intended to regulate a functioning booking operation tied to licensed vehicles. If there are no vehicles licensed within Fife connected to the applicant's operation, then there is no lawful fleet available to service bookings originating from the premises.

Accordingly, the application should be refused on the basis that the applicant cannot meet the statutory requirement of ensuring that bookings result in the hire of properly licensed vehicles.

---

2. Inability to Comply with Record-Keeping Requirements (Condition 2)

Condition 2 requires that a record be kept of:

- (a) the registration number of the vehicle hired as a result of the booking; and
- (b) the name of its driver at the time of hire.

If Uber Scot Limited does not have vehicles licensed with Fife Council, or does not operate a fleet under its control within the local authority area, it is unclear how it can comply with this mandatory condition in a manner that satisfies local regulatory oversight.

Specifically:

- How will vehicle registration numbers be verified against Fife-licensed vehicles?
- How will driver licensing status be confirmed under Fife Council's jurisdiction?
- How will compliance be audited if vehicles are not licensed locally?

Without locally licensed vehicles and drivers operating under the authority of Fife Council, the applicant cannot demonstrate compliance with the record-keeping obligations required under the Order.

---

3. Regulatory Integrity and Public Safety

The licensing regime under the Civic Government (Scotland) Act 1982 exists to ensure:

- Proper local oversight
- Public safety
- Transparent record keeping
- Accountability of operators

If bookings are taken within Fife but fulfilled by vehicles not licensed within Fife — or where no vehicles are licensed at all — the Council's ability to regulate and enforce compliance is materially weakened.

Conclusion

If no vehicles are licensed or intended to be licensed in Fife in connection with the proposed Booking Office, the application cannot satisfy the mandatory licence conditions and should therefore be refused.

Unless and until it can be demonstrated that:

1. Vehicles are licensed (or are in the process of being licensed) with Fife Council; and
2. The applicant can fully comply with Conditions 1, 2, and 4 of the Booking Office Licence Conditions,

the application does not meet the statutory and operational requirements and should therefore be refused.

I respectfully request that this objection be placed before the Regulation & Licensing Committee for full consideration.

Yours faithfully,

Mark Anderson

From: mark.anderson@kirkcaldycabs.co.uk

Sent: 24 February 2026 17: 26

To: Misc Licensing
Cc: EnforcementOfficer
Subject: Uber Objection in Fife - Licensing Compliance & Application Clarification

Good evening,

Further to my previous correspondence, I wish to formally add to the objections and discussions surrounding Uber potentially operating within Fife.

As a local taxi operator based in Kirkcaldy, this matter is of considerable importance to our business, our drivers, and the wider licensed trade. While I fully appreciate that any decision must be made in accordance with the relevant legislation and due process, my primary concern is ensuring regulatory consistency and a level playing field for all operators.

Should Uber be granted approval to operate in Fife, I would respectfully request written clarification on the following points:

- Confirmation that all vehicles operating under Uber within Fife will be fully licensed by Fife Council.
- Confirmation that vehicles and operators will adhere to Fife Council fare tariffs.
- Assurance that all vehicles will undergo the same annual inspections and compliance checks as other locally licensed operators.
- Confirmation that all drivers will be subject to identical PVG, medical, and licensing requirements.

Assurance that enforcement and compliance measures will be applied equally across all operators.

- Confirmation that Question 6 of the application — ***"How many vehicles are booked or operated from these premises?"*** — has been fully and accurately completed.
- Confirmation that Question 7 of the application — ***"Specify exactly (with a map/plan if necessary) where these vehicles are kept when not on a hire (including parking temporarily or otherwise)"*** — has been fully and satisfactorily addressed in accordance with standard operator requirements.

I would appreciate confirmation that both application questions have been successfully completed in line with the normal licensing process.

In addition, I believe it is relevant to highlight several regulatory concerns that have been raised in other licensing authorities regarding Uber's operations. While I recognise that each authority must assess applications independently, such matters are pertinent when considering the "fit and proper" test and wider public safety obligations.

Concerns raised elsewhere have included:

Safety & Compliance

- Previous identification of account security vulnerabilities resulting in unauthorised drivers undertaking journeys.
- Regulatory concerns relating to the reporting of serious criminal allegations.
- Scrutiny of background check procedures and medical certification processes.
- Historic controversy regarding software tools used to limit regulatory oversight.

Operational Standards

- Cross-border hiring practices where drivers licensed in authorities with differing standards operate extensively in other areas.

Impact on Local Infrastructure and Trade

- Increased congestion linked to higher vehicle numbers in town centres.

Driver Welfare & Market Practices

- Legal challenges concerning employment status and driver rights.
- Allegations of aggressive expansion practices impacting established local operators.

Considering these matters, I would respectfully ask how Fife Council intends to ensure that:

- The "fit and proper" assessment is applied rigorously.
- All safeguarding and reporting obligations are fully enforced.
- Cross-border licensing does not undermine local regulatory standards.
- Accessibility requirements are properly met; and

Compliance and enforcement are applied consistently and equally.

Local independent taxi businesses invest significantly in maintaining the standards required by Fife Council. It is essential that any new operator is held to precisely the same regulatory framework to protect public safety and ensure fair competition.

I would be grateful for written clarification on the above points and an outline of how ongoing compliance would be monitored and enforced should approval be granted.

Thank you for your time and consideration.

Kind regards,

Mark Anderson

Kirkcaldy Cabs

From:
To: Misc Licensing
Subject: Objection to be lodged against Uber Scot Ltd
Date: 16 February 2026 12:41:36

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To: Licensing Team
Fife Council
Fife House
North Street
Glenrothes

Dear Sir/Madam,

I am writing to formally object to the application submitted by Uber Scot Limited for a Booking Office Licence concerning the premises at Rosyth Business Centre, Unit 18, 16 Cromarty Campus, KY11 2WX, dated 23 January 2026.

My objection is grounded in serious concerns regarding regulatory fairness, public safety, and the consistency of licensing standards.

Key Concerns

1. **Regulatory Fairness**
Licensed taxi operators and drivers in Fife must adhere to stringent conditions, including capped taxi plate numbers, vehicle testing standards, licensing fees, insurance requirements, police background checks, and continuous compliance monitoring. These measures are essential for public safety and the proper regulation of the trade.

2. **Impact on Existing Operators**
The approval of this Booking Office Licence risks creating an imbalance by potentially allowing the issuance of an unlimited number of private hire ("white") plates. This could lead to a two-tier system where existing operators, who are constrained by numerical restrictions, face unfair competition from an unregulated expansion

of new entrants.

3. **Public Safety and Standards**
It is crucial to ensure that all drivers operating under this booking office are subject to the same rigorous police checks, safeguarding requirements, and ongoing vetting as locally licensed taxi drivers. Similarly, vehicles should meet identical testing, inspection, and compliance standards.

4. **Economic Considerations**
The economic impact on existing licensed taxi operators, who have invested in capped plates under the current regulatory framework, must also be considered. An unregulated influx of private hire vehicles could jeopardize their livelihoods.

Requests for Consideration

I urge the Committee to address the following points:

- Will all drivers operating under this booking office be subject to the same police checks and compliance requirements as locally licensed drivers?
- Will vehicles used by this booking office undergo the same rigorous testing and inspection processes?
- Does the Council intend to implement any numerical controls on private hire plates linked to this operation?
- What measures will be taken to ensure fairness and balance in the regulatory framework?

Maintaining public safety and regulatory consistency is of utmost importance. A licensing system that allows one sector to operate without similar restrictions could undermine the integrity of the Council’s licensing regime and erode public confidence.

I respectfully request that my objection be thoroughly reviewed by the Licensing Committee before any decisions are made.

Thank you for considering my concerns.

Yours faithfully
Colin Davidson

From:
To: Misc Licensing
Subject: Concerns Regarding Uber's Proposed Operation in Fife
Date: 17 February 2026 19:55:25

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

I am writing as a licensed taxi driver and Director of H&K cabs in Fife to formally express my serious concerns regarding the proposed arrival of Uber in Fife.

The local taxi industry in Fife has been built over many years through strict licensing requirements, compliance checks, insurance standards, vehicle inspections, and professional service. Many drivers, including myself, have invested significant financial resources into vehicles, insurance, licensing fees, and regulatory compliance under Fife Council's rules.

The introduction of Uber has the potential to severely damage, if not destroy, the professional taxi trade in Fife. In several other council areas across the UK, drivers operating under Uber have raised legal disputes and court cases regarding earnings that reportedly fall below minimum wage once commission, vehicle costs, and operational expenses are deducted. Such pricing models create an unsustainable environment where drivers struggle financially.

When earnings become unsustainable due to aggressive low pricing strategies, it unfortunately increases the risk of drivers resorting to unfair or fraudulent practices simply to survive. This not only harms the integrity of the profession but also impacts passenger safety and public trust.

If Fife Council is considering granting Uber a licence to operate, I respectfully request that the Council carefully assess the long-term economic and social impact on existing licensed taxi operators. At the very least, I would urge the Council to consider implementing a transition period of 3–4 years. This would allow existing taxi drivers time to gradually wind down their businesses, recover investments, or adapt, as it would be practically impossible for small local operators to compete directly with Uber's pricing structure.

I kindly request that my concerns be formally recorded as part of any consultation process regarding this matter.

Thank you for your time and consideration. I look forward to your response.

Yours faithfully,

Umar Hayat
Director
H&K Cabs

From: Misc Licensing
To:
Subject: FW: Uber Taxi Fare Scales
Date: 18 February 2026 12:01:23

From: Andrew Hill
Sent: 18 February 2026 11:32
To: Misc Licensing
Subject: Uber Taxi Fare Scales

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I am advised Uber have applied for an office licence in Rosyth but on checking the Uber website there are many additional charges shown by Uber which are not part of current Fife Council fare scales - if Uber is granted an office licence what measures do the Council propose to take to ensure Uber vehicles operate within the prescribed fare scales as stated by the Council ?
Andrew Hill.

From:
To: Misc Licensing
Subject: Booking Office Licence Application – Uber Scot Limited
Date: 18 February 2026 16:14:16

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

_____

FORMAL OBJECTION

To the Members of the Licensing Committee,

I write as the operator of ASH CABS Dunfermline, a locally based and fully licensed taxi business operating within Dunfermline and West Fife.

This objection is made in terms of Schedule 1, Paragraph 3 of the Civic Government (Scotland) Act 1982.

—

1. Statutory Grounds for Refusal

Under Schedule 1, Paragraph 5(3) of the Civic Government (Scotland) Act 1982, the Licensing Authority shall refuse an application if:

- (a) the applicant is not a fit and proper person;
- (c) the carrying on of the activity would be likely to cause a threat to public order or public safety;
- (d) where the grant would be contrary to the public interest.

While I do not allege criminal unsuitability, I submit that serious concerns arise under:

- Public safety
- Public interest
- Proper supervision and regulatory control

—

2. Public Safety & Proper Supervision

Licensing Committees are required to ensure that booking offices provide effective oversight and control of drivers operating under them.

The proposed operational model appears to rely primarily on a digital allocation platform with remote management structure.

Members may wish to consider:

- Whether there will be dedicated, accountable supervisory management physically present within Fife.
- How complaints specific to Fife operations will be investigated locally.
- Whether real-time intervention mechanisms exist in cases of driver misconduct or passenger safety incidents.

The Act places responsibility on the Licensing Authority to ensure that the licensed activity is carried out in a manner consistent with public safety.

A remote-platform model may materially weaken direct supervisory oversight compared to locally managed booking offices.

—

3. Cross-Border Enforcement Concerns

Scottish licensing authorities have increasingly encountered enforcement difficulties relating to cross-border operation of taxis and private hire vehicles.

If this booking office facilitates drivers licensed in other local authority areas operating extensively within Fife, the Committee must consider:

- Enforcement limitations where driver and operator licensing authorities differ.
- Variations in testing standards and compliance regimes.
- Practical difficulties for Fife Council officers investigating complaints involving out-of-area licensees.

Under Paragraph 5(3)(d), the Committee is entitled to refuse an application where granting it would be contrary to the public interest — including where regulatory effectiveness may be undermined.

—

4. Public Interest & Stability of the Regulated Trade

Although competition alone is not grounds for refusal, Scottish case law recognises that Licensing Authorities may consider whether the grant of a licence would adversely affect the proper regulation of the activity within their area.

The taxi trade in West Fife operates within a regulated framework with:

- Fixed fare structures
- Vehicle age limits
- Compliance inspections
- Insurance and safety standards

If the introduction of a platform-based booking office results in:

- Oversupply of vehicles,
- Reduced driver viability,
- Regulatory strain on enforcement resources,

this may ultimately weaken standards and undermine the public interest.

The Committee is not required to ignore foreseeable regulatory consequences where they impact public protection.

—

5. Fit and Proper Consideration – Operational Structure

In determining whether the applicant is a fit and proper person, the Committee may consider:

- Corporate governance structure.
- Complaint resolution procedures specific to Fife.
- Local accountability mechanisms.
- Availability of a responsible person within the authority area.

Members are entitled to seek clarity on:

- Who within Fife will be accountable for compliance?
- What physical supervisory presence exists at the Rosyth premises?
- How will Fife-specific regulatory conditions be monitored and enforced?

—

6. Conclusion

This objection is not based on commercial competition.

It is based on statutory considerations under Schedule 1 of the Civic Government (Scotland) Act 1982, namely:

- Public safety
- Effective supervision
- Enforcement practicality
- Public interest

I respectfully request that the Committee scrutinise whether the proposed operational model provides sufficient local control and accountability to meet the standards expected of a licensed booking office within Fife.

I request the opportunity to address the Committee in person should this matter proceed to hearing.

Yours faithfully,
Muhammad Anwar-Ul-Haq
ASH CABS Dunfermline

From:
To: Misc Licensing
Subject: Uber booking office application
Date: 18 February 2026 21:47:58

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the regulation and licensing committee Fife Council
My name is William laing,
I write to formally object to the above application for a booking office by Uber uk limited, office 2.20 ,83 Princess Street Edinburgh EH22ER at the premises Rosyth Business Centre, unit 18 , 16 Cromarty Campus .KY112WX
As per the application Mr Matthew Freckelton, 77 Bellerby Court, Palmer Lane, York. YO17AF is down as the day to day manager.
When you check online Mr Freckelton 37, is head of Uber cities in the UK. He is also Director and sole shareholder of Tickertapelabs limited.
Also online he represents Uber at licensing committees throughout the UK.
How can he be the day to day manager if he if committed elsewhere and lives in a different country.
What is the council expectations of a day to day manager, how many hours should they invest in making sure they are complying with licensing conditions. I know from experience this is a round the clock job.
With Uber they don't operate any vehicles. The individual driver must have their own licenced vehicle. This is fine, but surely if they rent a licensed vehicle, Ubers contract is with the renter, as they will be the license holder. Any payments from Uber should go to the renter.
Who is going to police that it is only licensed drivers who are driving the licensed cars.
Uber is currently actively trying to keep cross border hiring in England and Wales, so how will they be regulated not to do this in Scotland.
Uber Scot Ltd from its incorporation in March 2016 has had 7 directors, 5 have resigned. The 2 current directors Neil McGonigle and Andrew Brem, whose correspondence address is at an office address in London. Both are directors of many other companies, mainly around London. To date have not found their home addresses but I suspect they live in or around London. Again what input are they going to have in directing operations in Scotland.
Many councils have had issues with Uber breaking licensing conditions, so can't see no matter what assurances they give they will adhere to them here.
Uber built there name in America by giving low fares by persons in a unlicensed vehicle, with no checks on the drivers, and giving time, I expect there plan to be to erode any licensing rules in the UK.
As much as there is competition in Fife, largest proportion of Fife operators fulfill there licensing commitments.
Fife Council is committed to the national living wage, by allowing Uber in, operating drivers will be sitting in there vehicles burning co2 emissions for a few pound an hour. Uber take around 30 per cent commission for every job, leaving no profit for the operator, well documented online. Why they do it no idea.
I believe that if you grant a license to Uber, who will put nothing into the community, they will drop the prices, drive drivers from local taxi operators away, then find that there's not enough work to justify staying and pull out, leaving the trade again short of drivers similar to after covid.
Uber has a bad track record, only applauded by the greedy consumer who want the journey for nothing.
Taxi trade deserves better, drivers deserve a decent income, Uber does neither.
Fife deserves a fair taxi trade, not an overseas exploitation of people.
For fair trade, and hold Fife Council principles, refuse this application, as not fit and proper persons to hold a licence.
Yours Sincerely
William Laing.

18/02/2026

To Fife council Licensing

I wish to formally object to the application for a Taxi Booking Office at Rosyth Business Centre Unit 18, Cromarty Campus, KY11 2WX.

After inspecting the proposed premises at Rosyth Business Centre Unit 18, Cromarty Campus, KY11 2WX, I observed that there is no public footpath leading to the office. This means pedestrians and disabled visitors cannot safely approach the entrance, which poses a significant risk, especially for those arriving on foot. Furthermore, the car park was completely full at the time of my visit, with all available spaces occupied. This situation was largely caused by a sizeable gas company that also operates within the building and utilises most of the parking spaces. As a result, visitors to the taxi booking office would struggle to find suitable parking, increasing the likelihood of congestion and unsafe parking practices in the surrounding area.

Upon inspecting the car park, I observed several shipping containers being used for storage. During my visit, vehicles of various sizes were actively loading and unloading goods. There were no visible safety measures in place to protect members of the public. Specifically, I noticed that some vehicles were reversing without the assistance of spotters, and there were no barriers or designated areas separating pedestrians from the loading zones. Additionally, I did not see any warning signs indicating potential hazards in the vicinity. These conditions pose significant safety risks for anyone accessing the car park.

Uber Scot Ltd application list Mathew Freckleton as the day to day.

Mathew Freckleton is the Head of Uber City's in the UK, a position that carries significant responsibilities and requires overseeing operations across numerous locations. Given the demanding nature of this senior role, it is difficult to see how he could dedicate enough time and attention to personally manage the day-to-day running of all the taxi booking offices he has applied for and listed on official records. Effectively managing even a single office involves substantial oversight of staff, compliance, and customer service—challenges that would only be magnified when multiplied across several offices. This raises genuine concerns about his capacity to fulfil the managerial duties required for each location never mind the Rosyth office.

During a discussion on local transportation needs, the Fife Council Enforcement officer stated at the Fife Council Licensing and Regulation Committee meeting held on 03/06/2025 that there was no unmet demand for Taxis and Private Hire, indicating that current services adequately meet the requirements of the public.

Allowing more taxis and private hire vehicles would result in increased congestion on already crowded roads in and around Fife's city and town centres. This would also increase air pollution in these areas.

If Uber were allowed to operate in Fife, there would likely be a shortage of drivers. This could lead to cross-border operations, which are not permitted in Scotland. To enforce these rules and maintain fairness for existing taxi and private hire operators, a dedicated enforcement team would be required 24/7. Whether managed by Police Scotland or Fife Council, this would result in increased taxpayer spending to ensure Uber complies with civic government regulations.

Currently, Fife's established taxi companies actively reinvest in the local community by creating employment opportunities, supporting local businesses, and contributing to the area's economic growth. For example, these firms employ local drivers and staff, collaborate with nearby garages for vehicle maintenance, and sponsor community events. In contrast, Uber's business model is structured so that profits generated in Fife are largely transferred out of the region, with minimal local reinvestment. This not only diminishes the economic benefit to Fife but also results in taxpayer money leaving the UK, offering little in return for the local community.

Uber are currently advertising and operating within the Fife area before their Taxi booking licence has been approved. This action appears to contravene local licensing regulations, which stipulate that operators must secure the necessary permissions prior to commencing business. In my opinion, such disregard for the licensing process demonstrates that Uber and Mathew Freckleton are **not fit and proper (person}** to hold a Taxi Booking office or operate within the area.

Kind regards

Brian Buchanan

I would like you to acknowledge this email as an objection to the application by UBER for a licence to operate within Fife
Uber can only harm what is already a very fragile taxi trade in Fife.

If there was an issue of demand then the present operators would be continually applying for more Taxi licence plates and equally the taxi trade would be able to pay higher wages to taxi drivers to encourage them into the trade.
However, this is not the case and since the covid pandemic the whole dynamics of the taxi trade in Fife has changed and by allowing Uber to operate will only further starve an already economically struggling taxi trade.
Please also keep in mind that we cannot cut our costs to survive as other unregulated businesses do and we are continually looking to find different ways to innovate and keep our businesses up to the high standards that Fife Council demand

You should also take into consideration that every licence issued to Uber will affect the finances of taxi companies in Fife.
These companies are mostly well established businesses with a fine balance of public and private hire licences who provide taxis and drivers for school and social work contracts. Uber cannot offer this.
Fife is more rural and Uber is more reliant on saturating higher populated areas or setting up in more affluent areas, such as Edinburgh.
I suspect that the recent application by Uber for a taxi office in Rosyth will not be subject to the same rules and regulations as ours, that this is a ruse and if granted the rules will be stretched and with limited man power Fife Council will be unable to deal with the fallout.
The council licensing officers cannot deal with the workload they have with the illegal taxis operating in the area so how can they possibly deal with Uber who are continually flouting the law

In my opinion Fife Council, like other councils, should very quickly and decisively find a way not.to allow Uber to operate in an already saturated market and instead find a way to resolve the long list of issues they have with existing operators with many, like ourselves, who have been in the trade for almost forty years and are already barely coping with the unprecedented changes over the past few years within the trade and the supporting bodies they work with.

We turn to Fife Council, as the regulating body, not just to set rules but to help protect an already faltering taxi trade.

Peter and Carole Meldrum