

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 respectfully seeks the opportunity to address the Regulation & Licensing Committee should the application proceed to determination.

Yours sincerely

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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-licence-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>