

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – OCTOBER 2013
Meeting: CIVIC LICENSING COMMITTEE
Date: 4 December 2013
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in October 2013. Details of these are outlined in the following sections of the report.

2. TAXI/ PRIVATE HIRE CAR CHECKS

- 2.1 The Licensing Enforcement Officer routinely carries out spot checks of taxis and private hire car vehicles to ensure compliance with licence conditions.
- 2.2 The checks take place at various taxi ranks and other places within the district. The checks consist of a range of items including the following:-

- Id badge/ Licence
- Plates displayed
- Tariff Sheet
- Fire Extinguisher
- First Aid Kit
- Taximeter seal
- No commercial adverts displayed on the vehicle
- No smoking signs displayed
- Taxi roof sign
- Condition of vehicle

- 2.3 In October 2013, 6 private hire cars and 26 taxis were inspected by the Licensing Enforcement Officer. The majority of these checks were found to be in order with the exception of the following matters:-

Taxi Operator 181 – The Calendar meter (taxi meter) was obscured by the driver's sun visor.

This is a breach of taxi licence condition numbers 24.

Taxi Operator 337 – No First aid kit or fire extinguisher were found in the vehicle.

This is a breach of the taxi licence conditions number 8 and 9.

Taxi Drivers 1320, 1329, 1826 & 1872 – The drivers was found not to be carrying their taxi driver licences.

This is a breach of taxi driver licence condition number 2.

- 2.4 All driver/ operators with outstanding issues were written to and requested to attend the licensing offices and provide evidence that the matters detailed in paragraph 2.3 had been attended to. All have now fully complied.

3. CIVIC LICENSING ENFORCEMENT CHECKS

- 3.1 During October 2013, the Licensing Enforcement Officer undertook 33 civic licensing compliance checks/enquiries.

- 3.2 The compliance checks/enquiries involved the following civic activities:-

- Houses in Multiple Occupation (HMO's) – two checks on licensed premises were carried out along with enquiries into two other unlicensed properties. One of the unlicensed properties was found not to be operating as an HMO. The other unlicensed property is currently still under investigation as entry to the property was prevented due to no-one being in when officers visited.
- Second Hand Dealers – eight routine checks of licensed premises were carried out and three enquiries were also carried out. Two of the enquiries resulted in application forms being posted out new businesses.
- Late Hours Catering – two routine checks were carried out and six enquiries were also carried out to establish whether a licence is required.
- Public Entertainment – one enquiry was carried out to establish whether a licence was required by the operator.
- Skin Piercing – one enquiry was carried out in response to an allegation of unlicensed activity. One routine check was also carried out for an existing licensed premise.
- Knife Dealer – a routine visit to the premises was undertaken on two occasions.
- Street Trader – one routine check was carried out which resulted in two variation forms being issued. The variation forms related to a new ice cream van.
- Window Cleaner – one routine check was carried out on a currently licensed window cleaner.
- Wheelie Bin Cleaner – one enquiry was carried out and an application form was subsequently posted out to the licenceholder's brother.
- Booking Office – two routine checks were carried out.

- 3.3 These checks consist of a range of items including the following:-

- Licence type
- Licence holder details
- Day to day manager details (if applicable)
- Id badge/ Licence
- Register check (if applicable)
- Vehicle details (if applicable)
- Occupants details

- 3.4 All of these checks were found to be in order.

- 3.5 In addition to the above, the Licensing Enforcement Officer carried out 3 knowledge tests involving 5 candidates. 16 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

- 4.1 A complaint was received from a resident of Slamannan about a taxi driver who had allegedly left notes on the complainer's car relating to where he was parking his car. The taxi driver was subsequently interviewed and strenuously denied the allegation. The complainer when advised of the outcome stated that he was now in the process of moving house and did not wish the matter to be pursued.
- 4.2 A complaint was received from a female motorist alleging that a private hire car driver on the A91 road at Stirling had cut in front of her at a roundabout. The driver was subsequently interviewed and denied the allegation. He stated that the lane he had taken on the approach to the roundabout had been correct and that there were now road markings in place to confirm this. The complainer when advised of the outcome of the interview with the driver confirmed that there was now road markings' confirming what the driver had said.
- 4.3 A complaint was received from a female resident of Linlithgow regarding a private hire car which had struck and damaged a gate at the entrance to her property. The driver of the private hire car had spoken to the complainer's husband at the time, but had not provided any contact details before driving off. The operator of the vehicle was subsequently interviewed and arrangements were made which led to him contacting the complainer direct to arrange repairs to her property.
- 4.4 A complaint was received from a female alleging that a taxi driver taking her home after a night out had made inappropriate comments to her and that he had taken a longer route than was required. This matter is currently under investigation.
- 4.5 A complaint was received from a female alleging that a taxi driver taking her home had been driving while using his mobile phone and that he had used foul and abusive language in his conversation while using the mobile phone. This matter is currently under investigation.

5. RECOMMENDATION

- 5.1 It is recommended that Members note the contents of this report.

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Chief Governance Officer

Date: 22 November 2013

Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501262)

LIST OF BACKGROUND PAPERS

None