

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – JANUARY 2014
Meeting: CIVIC LICENSING COMMITTEE
Date: 19 March 2014
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in January 2014. 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 December 2013, 56 taxis and 5 private hire cars 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 117 – The taximeter was running slow.
This is a breach of taxi licence condition number 32.

Taxi Operator 148 – The fire extinguisher and first aid kit were not being carried and the taximeter was in a position where it was obscured from the passengers' sight
This is a breach of taxi licence conditions number 8, 9 and 30.

Taxi Operator 503 – The taximeter seal was missing.
This is a breach of taxi licence condition number 31.

Taxi Driver 1851 – The driver was found to be not carrying his taxi driver licence.
This is a breach of taxi driver condition number 2.

- 2.4 The operators and driver 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. They have now fully complied in this respect.

3. CIVIC LICENSING ENFORCEMENT CHECKS

- 3.1 During January 2014, the Licensing Enforcement Officer undertook 21 civic licensing compliance checks/enquiries.

- 3.2 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

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

- Houses in Multiple Occupation (HMO's) – three enquiries were carried out in relation to 3 unlicensed properties. All of the properties were found to be not operating as an HMO.
- Second Hand Dealers – five routine checks of licensed premises were carried out. This resulted in one variation form being posted out for a change in the day to day manager.
- Late Hours Catering – five routine checks were carried out. One enquiry was also carried out in relation to unlicensed premises that were found not to be operating after 11pm.
- Metal Dealer – one enquiry carried out in relation to premises in the Howgate centre. Investigations are ongoing.
- Skin Piercing – two checks of licensed premises were carried out. Both premises were found to be in order. One enquiry was also carried out which established that the premises did not require to be licensed.
- Window Cleaner – three separate checks were carried out. One resulted in a licensed window cleaner being found to have everything in order. The other check found that the window cleaner's licence had expired. He has subsequently submitted a new application. The other check resulted in the Police charging two persons for trading without a licence.

- 3.4 In addition to the above, the Licensing Enforcement Officer carried out 2 knowledge tests involving 3 candidates. 3 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

- 4.1 A complaint was received from a male who alleged that a local taxi company had quoted him one price for a hire to a destination outwith the Council area and that the driver had then charged him a higher price. Enquiry with the company established that the higher price had been quoted to the person when he made his initial enquiry with the company.
- 4.2 A complaint was received from a male alleging that a taxi driver had refused to take him and his partner from the taxi rank Newmarket Street, Falkirk, to an address in Merchiston Avenue, Falkirk. The driver concerned was interviewed and claimed that he had informed the male and his partner that he would take them to the start of Merchiston Avenue, but that he would not drive along the street as he had damaged the suspension on his taxi on the speed bumps there. He maintained that the male had accepted this, but that his partner had not.
- 4.3 A complaint was received from a male taxi driver alleging that a female taxi driver in the taxi rank Newmarket Street, Falkirk, had failed to move along the rank allowing a large space to develop between his taxi and hers. The female taxi driver was interviewed and admitted that a space had developed, but not as large as claimed by the other driver. The female taxi driver was written to and reminded of the condition of her licence about taxi drivers on the stance moving their taxi along to ensure there were no spaces.
- 4.4 All complainants were advised of the outcomes and were satisfied with the courses of action undertaken.

5. RECOMMENDATION

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

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Chief Governance Officer

Date: 10 March 2014

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

LIST OF BACKGROUND PAPERS

None