

**FALKIRK COUNCIL**

**Subject: CIVIC LICENSING ENFORCEMENT – JANUARY 2015**  
**Meeting: CIVIC LICENSING COMMITTEE**  
**Date: 18 March 2015**  
**Author: CHIEF GOVERNANCE OFFICER**

**1. INTRODUCTION**

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in January 2015. 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/ Taxi-Private Hire Licence
- DVLA driving 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 January 2015, 19 taxis and 2 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 157 – the taximeter was found to be running 15 minutes slow.  
This is a breach of taxi licence condition number 32.

Taxi Driver 569 – the driver was not carrying his taxi driver licence.  
This is a breach of taxi driver licence condition number 2.

The operator and driver were written to and requested to attend the licensing offices and provide evidence that the matter detailed had been attended to. They have now fully complied.

### **3. CIVIC LICENSING ENFORCEMENT CHECKS**

3.1 During January 2015, the Licensing Enforcement Officer undertook 14 civic licensing compliance checks/enquiries.

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

- Second Hand Dealers – six routine checks of licensed premises were carried out to ensure that the licence holder details were correct, that the licence was being displayed properly and that the register of sales was being kept up to date. All were found to be in order.
- Late Hours Catering – one routine check of licensed premises was carried out to ensure that the licence holder details were correct and that the licence was being displayed properly. Two enquiries were also carried out with unlicensed premises and two applications were subsequently received.
- Skin Piercing – two routine checks of licensed premises were carried out to ensure that the licence holder details were correct, that the licence was being displayed properly and that the register of business was being kept up to date. All were in order. One enquiry was made with an individual at his home address following an allegation that he was tattooing there. He denied the allegation and there was no evidence that he was carrying out the activity.
- Street Trader – one enquiry was made with a street trader (snack van) whose licence had expired. A new application form has since been received.
- Booking Office – one routine check was carried out to ensure that the licence holder details were correct, that the licence was being displayed properly and that the booking register was being kept up to date. Everything was found to be in order.

3.3 In addition to the above, the Licensing Enforcement Officer carried out 6 knowledge tests involving 7 candidates. 4 site notice checks were also carried out.

### **4. CIVIC LICENSING COMPLAINTS**

4.1 A male taxi driver made a complaint alleging that another taxi driver had driven in a careless manner on two separate occasions by pulling out from road junctions into the path of his taxi. The driver was subsequently interviewed and strenuously denied the allegation. There were no independent witnesses on both occasions therefore no further action was taken.

- 4.2 A male taxi driver made a complaint alleging that a female taxi driver had refused to take a hire as she wanted to take a more lucrative hire. The female taxi driver was interviewed and denied the allegation. There were no independent witnesses to the allegation.
- 4.3 The complainers were updated accordingly.

## **5. UNCOLLECTED LICENCES**

- 5.1 Certain Licensing activities require the licenceholder to have their licence on their person at all times whilst they are operating. This includes taxi and Private hire car drivers, window cleaners and street traders. In addition, they are also required to have their current ID badge on their person whilst operating. Generally, once a licence is granted or renewed, the licenceholder is written to and invited to attend the licensing offices to collect their licence and also to have their photograph taken as part of the process of creating an ID badge. This requirement is by way of licence condition.
- 5.2 There have been occasions previously when a licenceholder has not collected a licence after being written to and usually after a few calls the licence is collected.
- 5.3 In order to formalise matters and encourage that licences are collected in good time, the licensing section established a new procedure whereby licenceholders' who had not collected their licence would be written to a second time giving a period of 14 days to collect the licence or to potentially be referred to the Civic Licensing Committee for consideration.
- 5.4 At present there are two licenceholders' who have been written to on two occasions and have not as yet attended the licensing offices.
- 5.5 If Members are minded, those licenceholders' can be cited to attend the next meeting of the Committee in order to explain why they have not as yet collected their licences.

## **6. RECOMMENDATION**

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

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**Chief Governance Officer**  
**Date: 9 March 2015**

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

## **LIST OF BACKGROUND PAPERS**

None