

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – MARCH 2015
Meeting: CIVIC LICENSING COMMITTEE
Date: 20 May 2015
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in March 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 March 2015, 21 taxis and 1 private hire car 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:-

Private Hire Operator 35 – operating with an expired plate.
This is a breach of taxi licence condition number 2.

Taxi Operator 138 – rear plate in window.
This is a breach of taxi licence condition number 4.

Taxi Operator 349 – front plate not being displayed.
This is a breach of taxi licence condition number 4.

The operators were written to and requested to attend the licensing offices and provide evidence that the matters detailed have been attended to. They have now fully complied.

3. CIVIC LICENSING ENFORCEMENT CHECKS

3.1 During March 2015, the Licensing Enforcement Officer undertook 26 civic licensing compliance checks and enquiries.

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

- Second Hand Dealers – eight routine checks of licensed premises were carried out to ensure that the licence holder details were correct, that the licence was being properly displayed and that the register of sales was being kept up to date. All were found to be in order. One enquiry was carried out and an application form was submitted to the licensing section shortly thereafter.
- Late Hours Catering – six routine checks of licensed premises were carried out to ensure that the licence holder details were correct and that the licence was being properly displayed. Four enquiries were also carried out with two premises not requiring a licence due to their terminal hour. One variation form was submitted for a change of day to day manager and one application form was submitted by the new owner of premises.
- Skin Piercing – one check was carried out at premises which have applied for a licence to ensure that they are not operating before a licence is granted. The premises were closed when visited.
- Public Entertainment – one routine check of a temporary licence granted for a fairground was carried out. All was found to be in order. Two enquiries were also carried out, one with premises that had previously held a licence. It was established that a licence was no longer required as it had ceased trading. The other enquiry was made in relation to a forthcoming event and an application form was sent out.
- 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.
- Houses in Multiple Occupation – two enquiries were carried out. It was established that one property was not operating as an HMO and that the other property was now vacant.

3.3 In addition to the above, the Licensing Enforcement Officer carried out 5 knowledge tests involving 8 candidates. 11 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

- 4.1 A complaint was received from a licensed street trader who operates an ice cream van complaining about another ice cream van operating in the same street at the same time as he was trading. The other trader was interviewed and reminded that on certain days and at certain locations they may encounter another operator. It was expected that in such circumstances they would move on to another location to avoid any confrontation.

A complaint was received from a male pedestrian alleging that a taxi driver had almost run into him when he had been walking across the entrance to a petrol station. The taxi driver was interviewed and denied the allegation adding that his sister had been in the taxi with him at the time. She was subsequently spoken to and corroborated his version of events.

A complaint was received from a female alleging that a private hire car driver had blocked her in when she had parked within primary school grounds to collect her child. The driver was interviewed and denied the allegation. He also provided details of a witness to the incident and when she was spoken to she corroborated his version of events.

The complainants were advised of the outcomes and were satisfied with the course of action undertaken.

5. RECOMMENDATION

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

.....
Chief Governance Officer
Date: 11 May 2015

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

LIST OF BACKGROUND PAPERS

None