

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – MAY/JUNE 2015
Meeting: CIVIC LICENSING COMMITTEE
Date: 1 July 2015
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in May and June 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 May and June 2015, 46 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 Car Driver 387 – was found not to be carrying his private hire car driver licence.

This is a breach of private hire car driver licence condition number 2.

Taxi Operator 003 – the vehicle did have a front plate displayed.

This is a breach of taxi licence condition number 5.

Taxi Operators 008 & 56 – the licence holder name sticker was missing from the vehicles.

This is a breach of taxi licence condition number 13.

Taxi Drivers 1742 – the licence had expired and a subsequent renewal had not been submitted in time.

This person has since re-applied to become a taxi driver.

Taxi Driver 1998 – was found not to be carrying his taxi driver licence.

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

The operators and drivers 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 May and June 2015, the Licensing Enforcement Officer undertook 48 civic licensing compliance checks and enquiries.

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

- Second Hand Dealers – nineteen 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. Three separate enquiries were also carried out and application forms issued.
- Late Hours Catering – four 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. All were in order. One enquiry was also carried out with premises which confirmed that a licence was not required.
- Skin Piercing – three routine checks of licensed premises were carried out to ensure that the licence holder details were correct and that the licence and notices were being properly displayed. All in order. One check was also carried out at premises which have applied for a licence to ensure that they are not operating before a licence is granted. It was confirmed that they were not operating. Two further enquiries were made with premises which established that a licence was not required.
- Public Entertainment – one routine check was made with a funfair operating under a temporary licence. All was found to be in order.
- Street Trader – nine routine checks of licensed street traders (two snack vans, a fish van, four balloon sellers, one scarf/flag seller and an ice cream van) were carried out to ensure that the licence holder details were correct and that the licence was being carried. All was found to be in order. One other street trader enquiry (snack van) was carried out and an application form issued.

- Window Cleaner - two routine checks of licensed window cleaners were carried out. One window cleaner was advised to attend at the licensing section to collect his licence and identification badge.
- Market Operator – one enquiry was carried out with the manager of a supermarket premise who wished to operate a car boot sale. Appropriate advice was given.
- Metal Dealer – one routine check was carried out with a licensed jeweller's shop to ensure that the licence holder details were correct and that the licence was being displayed. The licence was not being displayed and the licence holder was given appropriate advice which has since been followed.

3.3 In addition to the above, the Licensing Enforcement Officer carried out 15 knowledge tests involving 17 candidates. 8 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

A complaint was received from a female person alleging that a taxi driver on the service road leading to the Torwood Garden Centre, Larbert, had swerved to avoid a cyclist and caused the complainer to take avoiding action. The taxi driver was subsequently interviewed and denied the allegation. He claimed that he had picked up his son from his employment at the Garden Centre and had been driving at an appropriate speed and was almost past the cyclist when the complainer had come towards him at speed around a corner.

A complaint was received from a male person who stated that he had booked two taxis to attend at the Park Hotel, Falkirk. One taxi to take him and his wife to Bainsford and the other taxi to take other family members to Brightons. He alleged that the taxi driver who attended had refused to take him and his wife to their home in Bainsford. The taxi driver was subsequently interviewed and claimed that she had received a message to take a hire from the hotel to Brightons. She stated that she was unaware that it had been a two car hire with one taxi going to Bainsford and the other going to Brightons. She claimed that when the complainer and his wife had got into her taxi she had asked for confirmation of where they were going to and when they had informed her that it was Bainsford, she had then informed them that she was attending for a hire for Brightons and that she could not take them. She added that she had told them she could call for another taxi, but that they had refused to listen to her.

A complaint was received from a male alleging that a taxi driver had been driving in what he considered was a dangerous manner and had been tailgating him on a journey along the M80 motorway towards Glasgow. The taxi driver was subsequently interviewed and denied the allegation. He claimed that he had not been tailgating and had been driving at what he considered was a safe distance behind the complainer. He also added that the complainer had been driving in the outside lane of the motorway after passing a vehicle and had not pulled in when he had the opportunity to do so and had been causing a tailback of traffic.

A complaint was received from a female alleging that a taxi driver had parked across her driveway and had also caused an obstruction in her street. The taxi driver was subsequently interviewed and stated that he had just dropped off a hire and had waited briefly to see if they required him for another journey. He added that he had moved his taxi when the complainer had arrived. He went on to say that it was the complainer who had caused the obstruction as she had attempted to reverse into her driveway and had her car across the roadway preventing other cars from passing.

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.

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Chief Governance Officer
Date: 30 July 2015

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

LIST OF BACKGROUND PAPERS

None