

**FALKIRK COUNCIL**

**Subject: CIVIC LICENSING ENFORCEMENT – SEPTEMBER 2015**  
**Meeting: CIVIC LICENSING COMMITTEE**  
**Date: 4 November 2015**  
**Author: CHIEF GOVERNANCE OFFICER**

**1. INTRODUCTION**

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in September 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 September 2015, 26 taxis and 4 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 driver 658 – was found not to be carrying a taxi driver licence.  
This is a breach of taxi driver licence condition number 2.

Taxi driver 1694 – was found not to be carrying a taxi driver licence or identification badge.  
This is a breach of taxi driver licence condition number 2.

Taxi operator 98 – was found not to be carrying a fire extinguisher.  
This is a breach of taxi operator licence condition number 8.

Taxi operator 253 – there was found to be no identification sticker on the fire extinguisher.

This is a breach of taxi operator licence number 8.

Private hire 38 – the front plate was displayed on the inside windscreen.

This is a breach of private hire car operator licence number 5.

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

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

3.1 During September 2015, the Licensing Enforcement Officer undertook 25 civic licensing compliance checks and enquiries.

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

- Second Hand Dealers – five 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.
- Booking Office – one enquiry was made to identify a driver regarding a taxi complaint. A routine check was also 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. It was also established that one booking office had closed as the business had passed its contact telephone number onto another company to manage for them.
- Houses in Multiple Occupation – one enquiry was carried out at a property in Bo'ness. However, it was established that it was not operating as an HMO.
- Window Cleaner – four checks were carried out and the window cleaners were found to be operating in accordance with their licence.
- Street Trader – one check carried out with an internet/telephone provider sales team. It was established that a licence was not required.
- Late Hours Catering – three 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 was found to be in order. Two other enquiries were also carried and application forms were issued.
- Public Entertainment – one check was made with a funfair operating under a temporary licence in Dunipace to ensure that all of the equipment was situated in the proper location.
- Skin Piercing – two 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 enquiry was also carried out and advice provided to a person who wishes to operate a skin piercing business. A 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.

- Wheelie Bin Cleaner – as part of a joint operation with the Police two wheelie bin cleaners were checked and found to be operating without a licence. Application forms were subsequently submitted and are being processed.

3.3 In addition to the above, the Licensing Enforcement Officer carried out 5 knowledge tests involving 8 candidates. 7 site notice checks were also carried out.

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

A complaint was received from a female person alleging that a taxi driver (who had been engaged in a hire to collect her from her home, convey her to a shop and return back home as part of the one journey) had picked her up from her home address and when reversing out of her driveway had almost collided with another vehicle. It was also alleged that the taxi driver had been speaking on a hands free device throughout the hire and that he had been continually swearing at the person he was speaking to. It was also alleged that when the complainer left the fare for the hire the taxi driver had followed her to her house and had banged on the front door and demanded further payment for the hire. It was also alleged that he had thrown stones at her window and that he had overturned a plant pot in her garden. The taxi driver concerned was subsequently traced and interviewed and denied that he had behaved in such a manner. He claimed that the complainer had not paid the full price for the hire and that he had only knocked at her door and called through her letterbox. He had then left. He strenuously denied any wrong doing.

A complaint was received from the Network Planning Manager, First Glasgow, that a Falkirk Council licensed taxi had been parked in a bus stop at the Queen Elizabeth Hospital, Glasgow, causing an obstruction. The driver was subsequently traced and interviewed and claimed that he was making a delivery to the hospital and that the designated area for parking was full. He had asked an attendant where he could park and was directed to the bus stop. He was advised not to park in a bus stop at the hospital should he require to go there in the future.

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: 26 October 2015**

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

#### **LIST OF BACKGROUND PAPERS**

None