

FALKIRK COUNCIL

Subject: KNOWLEDGE TEST FAILURE
Meeting: CIVIC LICENSING COMMITTEE
Date: 13 January 2016
Author: CHIEF GOVERNANCE OFFICER

1. APPLICATIONS FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

- 1.1 Mr Craig Somerville submitted an application for a new taxi driver on 1 September 2015. His application must be considered before 29 February 2016. The applicant sat the knowledge test on 29 September and attained 53%. He sat the test on 5 November and attained 66%. The applicant was invited to sit the test on 19 November and attained 78%. The applicant was afforded a fourth opportunity by officers to sit and pass the knowledge test on 3 December, however he attained 67%
- 1.2 It is the view of officers that the applicant has little prospect of passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that the applicant has not sat and passed the knowledge test.
- 1.3 Mr Steven Purdie submitted an application for a new taxi driver licence on 10 August 2015. His application must be considered before 9 February 2016. The applicant was invited to attend for the test on 10 September, at which point he advised that he was unable to attend due to a hospital appointment and requested that the test be re-arranged for a fortnight later. The applicant was subsequently invited to sit the test on 24 September but advised that he was unable to attend due to illness. Further tests were arranged for 7 October and 5 November. The applicant failed to attend and did not advise that he was unavailable. The matter was reported to Members at the meeting of the Civic Licensing Committee on 2 December 2015. It was also reported at that time that Mr Purdie had not received his letter of invitation to attend for the test on 7 October. Officers were able to confirm at the meeting that the invitation sent by recorded delivery had not in fact been delivered. In view of this the Committee agreed that the applicant be given a further opportunity to sit and pass the knowledge test. Mr Purdie was contacted regarding a test in late December. Mr Purdie advised that he would not be available to sit the test until the New Year. Mr Purdie was thereafter written to and invited to attend a knowledge test that would be arranged for 7 January 2016. Officers will be able to provide a verbal update at the meeting as to whether Mr Purdie attended the test and if so whether he attained a pass mark.
- 1.4 The applicants have not been invited to sit a medical as yet.
- 1.5 Mr Somerville was written to and advised of the report before Members. The letter explained that he could submit a letter in support of the application which would form part of the report. No letter has been received.

2. RECOMMENDATION

It is recommended that Members consider the terms of the report.

The options available to the Members are:-

2.1

- (a) to refuse to grant the TAXI DRIVER licences in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the grounds that the applicants, having failed to pass the knowledge test, have failed to satisfy the Authority that they had adequate knowledge of the area to which the licence relates and the layout of roads in the area.; or
- (b) if Members are satisfied that there are other relevant circumstances that warrant a departure from policy, to instruct officers to arrange for the applicants to undertake a medical; and should they fail the medical to remit the matter back to Committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the TAXI DRIVER licences.

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Chief Governance Officer
Date: 24 December 2015

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

LIST OF BACKGROUND PAPERS

None