

The background of the slide features a large, faint, light blue outline of the official coat of arms of the City of Anchorage. The coat of arms is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on wavy lines representing water. The top-right quadrant depicts a moose head facing left. The bottom-left quadrant shows a cross. The bottom-right quadrant features an eagle with spread wings. Above the shield is a crown with four points, each topped with a flower. A banner at the bottom of the shield contains the text "ANNE FOR A".

Agenda Item 5

Civic Licensing Enforcement – September 2016

Falkirk Council

Subject: Civic Licensing Enforcement – September 2016
Meeting: Civic Licensing Committee
Date: 2 November 2016
Author: Chief Governance Officer

1. Introduction

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in September 2016. Details of these are outlined in the following sections of the report. During this period the Licensing Enforcement Officer has been assisting with the administration and processing of applications as there are staff shortages due to sickness absence and annual leave being taken.

2. Taxi/Private Hire 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 2016, 9 taxis 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 106 – the rear plate was found to be positioned in the back window.

This is a breach of taxi licence condition number 5.

Taxi Driver 2005 – was found not to be carrying his taxi driver licence.

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

The operator and driver (who are first time offenders) have attended at the licensing office regarding these issues. They are now fully compliant.

3. Civic Licensing Enforcement Checks

3.1 During September 2016, the Licensing Enforcement Officer undertook 14 civic licensing compliance checks and enquiries.

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

- Second Hand Dealers – three 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 was found to be in order.
- Street Trader – one routine check was carried out to ensure that the licence holder details were correct (snack van). All was found to be in order. Two enquiries were also carried out and application forms issued.
- House of Multiple Occupation – one enquiry was carried out at an address in Camelon. After investigation the property was found not to be operating as an unlicensed HMO.
- Skin Piercing – one routine check of licensed premises was carried out to ensure that the licence holder details were correct and that the licence and notices were being properly displayed. All was found to be in order.
- Booking Office – one enquiry was made in relation to a driver complaint. The licence holder details were correct, the licence was being properly displayed and the booking register was being kept up to date.
- Late Hours Catering – two 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. Everything was found to be in order. Two enquiries were also carried out and an application form issued.
- Public Entertainment – one check of a temporary licence granted to a fairground at the Tryst, Stenhousemuir, was carried out to ensure that all the equipment present was as per the licence. All was found to be in order.

3.3 These checks consist of a range of items including the following:-

- Licence type
- Licence holder details
- Day to day manager details (if applicable)
- Id badge/ Licence
- Register check (if applicable)
- Vehicle details (if applicable)
- Occupants details

3.4 In addition to the above, the Licensing Enforcement Officer carried out 3 site notice checks. Four taxi driver knowledge tests involving seven candidates were also carried out.

4. Civic Licensing Complaints

A complaint was received from a male motorist alleging that he had been verbally abused and threatened by a taxi driver when he attended at Falkirk High Railway Station to pick up his wife. He admitted to having parked his car with the front wheels in the taxi rank when a taxi driver had stopped next to him and told him to move his car. The complainant alleges that due to other taxis being parked in front and behind him he was unable to move and that the taxi driver had then become threatening in his manner and had also been verbally abusive. The complainant also alleged that when his wife appeared she too had been verbally abused by the taxi driver. The taxi driver was subsequently interviewed and stated that the complainer had parked his vehicle fully in the taxi rank and that when he had asked him to move the complainer had got out of his car and was verbally abusive towards him. He also added that the complainant had kicked his taxi. The complainant's wife when she appeared had also been verbally abusive towards him. Both the complainant and the taxi driver stated that the matter had been reported to the Police. Police Scotland were contacted and confirmed that the matter had been reported to them and that after speaking to both parties no further action was being taken. The complainant was contacted by the Licensing Enforcement Officer and updated in terms of the taxi driver's response and has not been in contact since. No further action is proposed.

A complaint was received from a female manager of the Carr Gomm Care Support Organisation, on behalf of a vulnerable female that they support. The complaint related to a taxi driver from Stenhouse TOA taxis who had attended to pick up the female and a male companion from outside the Tesco store, Central Retail Park, Falkirk, and had allegedly moved his taxi as the female was about to enter the rear seat causing her to fall to the ground. The taxi driver had then failed to assist her back into the taxi or offer her medical attention for cuts to her legs caused by the fall or even ask if she was alright. Enquiry with Stenhouse TOA established that the incident had occurred on a different date to that reported and that another member of the Carr Gomm support staff had been in contact with Stenhouse TOA.

The chairperson of Stenhouse TOA had interviewed the taxi driver concerned and had thereafter contacted the Carr Gomm support staff member and updated her accordingly.

She had accepted their findings and as far as the chair person of Stenhouse TOA was concerned that was the end of the matter. This was fully detailed in their complaints register. The taxi driver concerned was also interviewed and he stated that when he attended for the hire he had been unable to park in the official pick up space outside the shop and had to park on the roadway. He had then taken items from the female and her companion and placed them in the boot of his taxi. The male had entered the front passenger seat of the taxi and the driver had then returned to the driver's seat as the female was about to enter the rear nearside seat of the taxi. The driver stated that he had not started the taxi when he heard the female fall to the ground. He claims that due to passing traffic he had been unable to leave the taxi to assist her and that nearby pedestrians had assisted the female into the taxi. The driver added that he had asked if she was alright and if she required any medical attention. The female had told him that she was alright and he had then taken her home. The complainant was updated and satisfied with the information provided. No further action is proposed.

A complaint was received from a male person alleging that he had booked a taxi and had stated at the time of booking that he was travelling with a dog. The driver of the private hire vehicle who attended had refused to take his dog and had cancelled the hire. Enquiries were undertaken at the relevant booking office which established that the driver had accepted the hire without reading the full information on the in-car data system (which provides details of the hire to the driver). The driver explained that had he been aware that the hire involved a dog he would not have accepted the hire due to his phobia of dogs. Discussion has taken place with the taxi company to ensure this does not happen again. No further action is proposed.

A complaint was received from a taxi driver alleging that another taxi driver when driving past him in the opposite direction in slow traffic had shouted an obscenity at him. The same taxi driver had later been sounding the horn of his taxi at the complainer when driving in Vicar Street, Falkirk. The taxi driver concerned was subsequently traced and interviewed. He denied having shouted anything towards the complainer. He also explained that he had sounded his horn at the complainer to warn him, as the complainer had been driving his taxi across into his path at the time. No further action is proposed.

5. Recommendation

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

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Chief Governance Officer
Date: 25 October 2016

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

List of background papers
None