

# Agenda Item

5

**Civic Licensing Enforcement –  
February 2017**

ANE FOR A'

**Falkirk Council**

**Subject:** Civic Licensing Enforcement – February 2017  
**Meeting:** Civic Licensing Committee  
**Date:** 5 April 2017  
**Author:** Chief Governance Officer

**1. Introduction**

1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in February 2017. Details of these are outlined in the following sections of the report.

**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 February 2017, 17 taxis and 2 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 Operator 092 – was found not to be displaying the front plate.  
This is a breach of taxi licence condition number 5.

Private Hire Driver 379 – was found not to be carrying their private hire car driver licence.  
This is a breach of private hire car driver licence condition number 2.

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

### **3. Civic Licensing Enforcement Checks**

- 3.1 During February 2017, the Licensing Enforcement Officer undertook 20 civic licensing compliance checks and enquiries.
- 3.2 The compliance checks/enquiries involved the following civic activities:-
- Second Hand Dealers – seven 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. One check established a change of day to day manager and a variation form was issued. One other enquiry was carried out and an application form issued.
  - 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. Enquiry with two males trading in High Street, Falkirk, established that they did not have a licence, but were in possession of Pedlar Certificates. Both were informed of licensing requirements and moved on.
  - House of Multiple Occupation – one enquiry was made regarding a property in Nicolton Court, Maddiston. It was established that there were a number of people resident. Contact was made with the landlord and letting agent with the number of residents reduced to below the HMO threshold. A subsequent follow up visit confirmed that no HMO licence is required
  - 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 was found to be in order.
  - 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. Variation forms were issued to two of the premises. One for a change of day to day manager and the other for a change of name for the premises.
  - Window Cleaner – one routine check was carried out to ensure that the licence holder details were correct. All was found to be in order.
  - Booking Office – two routine checks were carried out to ensure that the licence holder details were correct, that the licence was being properly displayed and that the booking register was being kept up to date. All was found to be in order. One enquiry was also carried out with a company that had recently moved premises and an application form was issued.

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 2 site notice checks. Seven taxi driver knowledge tests involving twelve candidates were also carried out.

#### **4. Civic Licensing Complaints**

A complaint was received from a female who reported that when attending to collect her child from a day care nursery in Jamieson Avenue, Bo'ness, a private hire car driver had parked his vehicle on the footpath. The driver had allegedly been rude and aggressive towards the complainer's child and when she had spoken to the driver he had been verbally abusive towards her. The day after making her complaint the complainer was contacted and stated that the driver concerned had attended at her home address and apologised to her for his behaviour. She requested that the driver be spoken to and he was subsequently traced and interviewed regarding the matter. He confirmed that he had apologised to the complainer and accepted that his actions were not appropriate.

The complainer was advised of the outcome and was satisfied with the course of action taken.

A complaint was received from a male motorist who reported that when driving on the Milton Bridge link road, Mid Lothian, the driver of a Falkirk private hire car travelling in the opposite direction to him, had caused him to swerve off the road into a ditch. He had managed to follow the vehicle and when he had caught up with it the driver had been verbally abusive towards him and had made a rude hand gesture to him. The driver was subsequently traced and interviewed in relation to the incident and advised that he knew the complainer personally. He went on to explain that the road is a single track and that the ditch had been on his side and that the complainer had not driven into a ditch as it had been a grass verge on the complainer's side. He added that the complainer had turned and followed him, sounding his horn at him, until he had stopped at a road junction. He denied being verbally abusive towards the complainer and claimed that the complainer had been verbally abusive towards him. However, he did admit that he had made a hand gesture towards the complainer and accepted that he should not have done so.

The complainer was advised of the outcome of the enquiry, but did not respond.

**5. Recommendation**

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

---

**Chief Governance Officer**

**Date: 28 March 2017**

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

**List of background papers**

None