

The background of the slide features a large, light blue watermark of the University of Toronto crest. The crest is a shield divided into four quadrants. The top-left quadrant shows a building with a flag. The top-right quadrant shows a tree with a cross on top. The bottom-left quadrant shows a sailing ship on water. The bottom-right quadrant shows an eagle with its wings spread. Above the shield is a crown with four maple leaves. Below the shield is a banner with the motto 'ANNE FOR A'.

Agenda Item

5

Knowledge Test Failure

Falkirk Council

Subject: Knowledge test failure
Meeting: Civic Licensing Committee
Date: 16 May 2018
Author: Chief Governance Officer

1. Application for the grant of a new taxi driver licence

- 1.1 Mr Arshad submitted an application for a new taxi driver licence on 18 December 2017. His application must be considered before 17 September 2018. The applicant has failed to sit the knowledge test despite being invited to attend on 5 separate occasions.
- 1.2 Mr Arshad was invited to sit the test on 25 January 2018 and he contacted the offices to advise that he was unwell and could not attend. He was thereafter invited to sit the test on 7 February 2018 and he failed to attend or to advise that he was unable to attend.
- 1.3 Mr Arshad was invited to sit the test on 22 February and once again he did not attend or advise that he was unable to attend. Licensing Unit staff telephoned Mr Arshad on 23 February and he advised that he was unsure as to whether he would be proceeding with the application. It was explained to Mr Arshad that should he wish to withdraw his application he would require to notify the Licensing Unit in writing either in the form of a letter or an email.
- 1.4 In the absence of any subsequent indication as to whether he was going to withdraw his application, Licensing Unit staff then invited Mr Arshad to sit the test on two further occasions, namely 7 and 22 March 2018. Mr Arshad did not attend and did not advise that he was unavailable.
- 1.5 It is the view of officers that the applicant has little prospect or interest in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that he has not sat and passed the knowledge test.
- 1.6 The applicant has not been invited to sit a medical as yet.
- 1.7 Mr Arshad was notified in a letter of his failure to attend and that the matter would be considered by the Committee. The letter explained that he could submit a letter in support of his application which would form part of this report. At the time of finalising this 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 licence in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicant, having failed to pass the knowledge test, has failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates; the layout of roads in the area and of the Council's licence conditions; 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 applicant to undertake a medical; and should he 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 licence.**

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Chief Governance Officer
Date: 8 May 2018

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

LIST OF BACKGROUND PAPERS

None