

The background of the slide features a large, light blue crest of the University of Alberta. The crest is a shield divided into four quadrants. The top-left quadrant shows a building, the top-right shows a stag's head with antlers, the bottom-left shows a sailing ship on water, and the bottom-right shows an eagle with spread wings. 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 Failures

Falkirk Council

Subject: Knowledge test failures
Meeting: Civic Licensing Committee
Date: 31 October 2018
Author: Chief Governance Officer

1. Applications for the grant of two new taxi driver licences

Mr McFarlane

- 1.1 Mr McFarlane submitted an application for a new taxi driver licence on 19 March 2018. His application must be considered before 18 December 2018. The applicant has failed to pass the knowledge test despite 3 attempts.
- 1.2 Mr McFarlane was invited to sit the test on 5 April 2018 and he attained 78%. He was then invited on 18 April 2018, however he advised that he was unable to attend due to a family bereavement.
- 1.3 Mr McFarlane was invited to sit the test on 3 May 2018, however he was unable to attend as he was unwell. He was invited to sit the test on 24 May and he attained 63%. He was then invited to attend on 6 June 2018 and he attained 65%.
- 1.4 Mr McFarlane was then invited to sit the test on 21 June, 5 July and 2 August 2018, however, he advised he was unable to attend. He was invited to sit the test on 16 August 2018, however he advised that he was in hospital and unable to attend. He was invited to sit the test on 30 August 2018 however he did not attend. He was then invited on 20 September 2018 and he did not attend.
- 1.5 It is the view of officers that the applicant has little prospect in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that he has not passed the knowledge test.
- 1.6 The applicant has not been invited to sit a medical as yet.
- 1.7 Mr McFarlane was notified in a letter of his failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained he could submit a letter in support of his application which would form part of this report. At the time of preparing this report no letter has been received

Mr Armstrong

- 1.8 Mr Armstrong submitted an application for a new taxi driver licence on 9 July 2018. His application must be considered before 8 April 2019. The applicant has failed to pass the knowledge test despite 4 attempts.
- 1.9 Mr Armstrong was invited to sit the test on 3 August 2018 and he attained 61%. He was then invited on 16 August 2018 and he attained 59%.
- 1.10 Mr Armstrong was then invited to sit the test on 30 August 2018 and he attained 69%. He was given a fourth opportunity to sit the test on 27 September and he attained 83%.
- 1.11 The applicant has been given the full four opportunities to sit the test and in view of his failure to pass the knowledge test officers would recommend that the Committee consider refusing the application on the basis that he has not passed the knowledge test. That said, it is of note that the applicant missed out on passing the test on his most recent attempt by 2%. In such circumstances and given that the applicant generally shown improvement in each test attempt, Members may wish to give consideration to affording the applicant a fifth and final attempt to pass the test.
- 1.12 The applicant has not been invited to sit a medical as yet.
- 1.13 Mr Armstrong was notified in a letter of his failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained he could submit a letter in support of his application which would form part of this report. A copy of a letter in support of his application has been received and a redacted version is attached to the report.

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 ground 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; the layout of roads in the area and of the Council's licence conditions; or**
- (b) to give the applicants a final opportunity to take and pass the knowledge test, and should the applicant fail the knowledge test, to authorise the Chief Governance Officer to refuse the applications without further reference to Committee in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground 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; the layout of roads in the area and of the Council's licence conditions;

- (c) 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 applicants pass the medical, to authorise the Chief Governance Officer to grant the TAXI DRIVER licences.

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Chief Governance Officer
Date: 19 October 2018

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

LIST OF BACKGROUND PAPERS
None

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Dear Sir/Madam or MEMBER of Committee

I Paul armstrong am asking if you
could take into consideration the
results of my previous test.
As i only Failed on one Question
and i would have Passed.

I have a Prospect off a new
Job awaiting me Passing my test
And i Am really disappointed that
for one Question i would have
been started my new career.
as a Taxi Driver. i Am asking
on this occasion if you could
help me in any way.

I studied so hard and i have
now sat 4 Tests and each (Pro)
one i improved for the better →

And im also scared That if i get ⁽²⁾
the Prospect to sit test again that
i will get Fewer Points. Also is
a lot of Money that i saved hard
For the further my career Prospects
And if the company i choose
to work for is willing to wait
So long on me . Passing my test
please can you take this all
into consideration on my behalf
Thanks yours Sincerely