

The background of the slide features a large, light blue crest of the University of Alberta. The crest is shield-shaped with a crown on top. The shield is divided into four quadrants: top-left shows a building, top-right shows a stag's head, bottom-left shows a sailing ship, and bottom-right shows an eagle. A banner at the bottom contains the motto 'ANNE FOR A'.

Agenda Item 5

Knowledge Test Failures

Falkirk Council

Subject: Knowledge test failure
Meeting: Civic Licensing Committee
Date: 11 December 2019
Author: Chief Governance Officer

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

Ms Gear

- 1.1 Ms Gear submitted an application for a new taxi driver licence on 14 August 2019. Her application must be considered before 13 May 2019. The applicant has so far failed to attend the knowledge test despite being invited on four occasions.
- 1.2 Ms Gear was invited to sit the test on 5 and 19 September 2019 and failed to attend or advise that she was unable to attend.
- 1.3 Further tests were arranged on 3 and 31 October 2019 and she failed to attend or advise that she was unable to attend.
- 1.4 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 she has not passed the knowledge test.
- 1.5 The applicant has not been invited to sit a medical as yet.
- 1.6 Ms Gear was notified in a letter of her failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained she could submit a letter in support of her application which would form part of this report. At the time of preparing 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 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 applicant 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 application without further reference to Committee 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 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 applicant 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 licence.

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Chief Governance Officer
Date: 3 December 2019

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

LIST OF BACKGROUND PAPERS

None