

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – AUGUST 2013
Meeting: CIVIC LICENSING COMMITTEE
Date: 2 October 2013
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in August 2013. Details of these are outlined in the following sections of the report.

2. TAXI/ PRIVATE HIRE CAR 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/ 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 August 2013, 30 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 137 and 445 – In both cars the Calendar meter (taxi meter) was obscured by the driver's sun visor.

This is a breach of taxi licence condition numbers 24.

Taxi Operator 166 – The taxi plate was found to be incorrectly displayed in the rear window of the vehicle.

This is a breach of taxi licence condition number 5.

Taxi Operator 253 – No First aid kit was found during the inspection.

This is a breach of the taxi inspection test.

Taxi Operator 255 – Calendar meter seal was missing.
This is a breach of taxi licence condition number 25.

Taxi Operator 449 – The Tariff sheet displaying fares scales and other charges was missing.
This is a breach of taxi licence condition number 16.

Taxi Driver 1909 – The driver was found not to be carrying their taxi driver licence.
This is a breach of taxi driver licence condition number 8.

- 2.4 All driver/ operators with outstanding issues were written to and requested to attend the licensing offices and provide evidence that the matters detailed in paragraph 2.3 had been attended to. All have now fully complied.

3. CIVIC LICENSING ENFORCEMENT CHECKS

- 3.1 During August 2013, the Licensing Enforcement Officer undertook 32 civic licensing compliance checks/enquiries.

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

- Houses in Multiple Occupation (HMO's) – ten enquiries carried were carried out in relation to 9 properties. 4 properties were found to be not operating as an HMO, 1 licensed HMO was found to be unoccupied. Further enquiries are ongoing in relation to 4 properties.
- Second Hand Dealers – four routine checks of licensed premises were carried out and one enquiry was also carried out. The enquiry resulted in an application form being posted out.
- Late Hours Catering – three routine checks were carried out and two enquiries were also carried out to establish whether a licence is required.
- Public Entertainment – one enquiry was carried out to establish whether a licence was required by the operator.
- Skin Piercing – one enquiry was carried out in response to an allegation of unlicensed activity. Two routine checks were also carried out for existing licensed premises.
- Knife Dealer – a certificate of compliance was collected as part of a check on the premises.
- Street Trader – three routine checks were carried out which resulted on one street trader obtaining a new ID badge. One enquiry was carried out regarding a snack van which was found not to be trading in a public place.
- Window Cleaner – three routine checks were carried out on currently licensed window cleaners.

- 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 All of these checks were found to be in order.

3.5 In addition to the above, the Licensing Enforcement Officer carried out 5 knowledge tests involving 5 candidates. 3 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

4.1 A complaint was received from two taxi drivers alleging that another taxi driver was not moving their taxi forward in the Newmarket Street, Falkirk, taxi stance when the taxi in front had driven off. The taxi driver concerned was subsequently interviewed and reminded to adhere to the conditions of their licence at all times whilst operating their taxi.

4.2 Following on from the above complaint, another complaint was received from two taxi drivers alleging that another taxi driver had jumped the queue for a hire in the Newmarket Street, Falkirk, taxi stance. The taxi driver concerned was interviewed and stated that he had been waiting in the queue behind the drivers. He maintained that he had waited for several minutes for them to move forward and when they had not done so he had moved in front of them. He accepted that he should not have done so and was warned accordingly.

4.3 The complainants were advised of the outcomes and were satisfied with the courses of action undertaken.

5. RECOMMENDATION

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

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Chief Governance Officer

Date: 23 September 2013

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

LIST OF BACKGROUND PAPERS

None