

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – SEPTEMBER 2013
Meeting: CIVIC LICENSING COMMITTEE
Date: 13 November 2013
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in September 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 September 2013, 23 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 matter:-

Taxi Operator 386 – 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.

- 2.4 The driver/ operator was written to and requested to attend the licensing offices and provide evidence that he had remedied matters relating to the incorrectly displayed plate. He attended the offices and displayed the vehicle with the plate permanently affixed to the rear bumper.

3. CIVIC LICENSING ENFORCEMENT CHECKS

3.1 During September 2013, the Licensing Enforcement Officer undertook 34 civic licensing compliance checks/enquiries.

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

- Houses in Multiple Occupation (HMO's) – six enquiries were carried out in relation to six properties. Four of the properties were found to be not operating as an HMO. The remaining two properties were also not operating as HMO's; however, the owners requested that application forms be posted out to them.
- Second Hand Dealers – seven routine checks of licensed premises were carried out. This resulted in one variation form to extend the goods that can be traded in being posted out.
- Late Hours Catering – between 11.30pm on Friday 27 September and 2am on Saturday 28 September 2013, the following premises were checked:-
 1. Umar's Tandoori, Main Street, Camelon – the owner was spoken to about the premises being open after 11pm without a licence
 2. Food Club, Glasgow Road, Camelon – closed
 3. Kismet Takeaway, High Street, Bonnybridge – the owner was spoken to about the premises being open after 11pm without a licence
 4. Original Chillies, Carronshore Road, Carronshore – the owner was spoken to about the premises being open after 11pm without a licence
 5. Canton House, Tryst Road, Stenhousemuir – closed
 6. Golden Star, Alloa Road, Stenhousemuir – closed
 7. Original Chillies, Union Road, Grangemouth – closed
 8. 4 in 1, Central Avenue, Grangemouth – closed
 9. Hot Kebabs, Melville Street, Falkirk – the owner not present and staff were advised to close as it was after 01.30am closing time
 10. Newsdeli, Vicar Street, Falkirk – the owner was not present but his brother was and food offered for sale was all in accordance with the licence
 11. Naz Tandoori, the owner was present and was advised to close as it was after the 01.30am closing time
- Street Trader – three routine checks were carried out.

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 6 knowledge tests involving 5 candidates. 11 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

- 4.1 A complaint was received from a taxi driver alleging that another taxi driver, who had been standing outside his taxi, had flicked a lit cigarette end at her taxi as she was driving into Newmarket Street, Falkirk. The taxi driver concerned was subsequently interviewed and stated that it had not been a deliberate act. His explanation being that the cigarette end had burnt his bottom lip and that he had flicked it away from himself. He claimed that he had subsequently removed the cigarette end from the roadway and disposed of it in a proper manner. He was advised to act in a civil and proper manner in future.
- 4.2 A complaint was received from a motorist alleging that a taxi driver had been 'tailgating' him on the M9 motorway near to Plean. The taxi driver concerned when interviewed stated that he had been on his way to deal with an urgent family matter, but did not believe that he had been driving too close to the complainant's car. He was reminded that as a licensed taxi driver he should drive in a safe and proper manner at all times.
- 4.3 The complainants were advised of the outcomes for both matters 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: 5 November 2013

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

LIST OF BACKGROUND PAPERS

None