

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – NOVEMBER 2013
Meeting: CIVIC LICENSING COMMITTEE
Date: 15 January 2014
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in November 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 November 2013, 4 private hire cars and 49 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 Drivers 1217, 1721, & 1921 – The drivers was found not to be carrying their taxi driver licences.

This is a breach of taxi driver licence condition number 2.

2.4 All of the drivers 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 November 2013, the Licensing Enforcement Officer undertook 40 civic licensing compliance checks/enquiries.

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

- Houses in Multiple Occupation (HMO's) – three enquiries were undertaken in respect of three unlicensed properties. Two checked were found not to be operating as HMO's. The other property is currently still under investigation as entry to the property was prevented due to no-one being in when officers visited. A letter was sent to the owner of the property and a response is awaited.
- Second Hand Dealers – twelve routine checks of licensed premises were carried out and two enquiries were also carried out. The enquiries resulted in application forms being posted out to a new business in Lint Riggs and to a previously licensed business on Carron Road whose licence has recently expired.
- Late Hours Catering – four routine checks were carried out and two enquiries were also carried out with application forms being sent out to businesses that were formerly licensed and had recently failed to renew. The businesses are located on Main Street, Larbert and High Station Road, Falkirk
- Public Entertainment – two enquiries were carried out. One enquiry was in relation to a new applicant and the other enquiry resulted in an application being sent out to a business in Larbert that had failed to renew its licence.
- Skin Piercing – one enquiry was carried out in response to an allegation of unlicensed activity which was found not to be operating illegally. One routine check was also carried out for an existing licensed premise.
- Knife Dealer – a routine check of the premises was undertaken.
- Street Trader – nine routine checks were carried out.
- Window Cleaner – two routine checks were carried out on currently licensed window cleaners. One check of an unlicensed window cleaner resulted in an application being sent 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 2 knowledge tests involving 4 candidates. 11 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

4.1 A complaint was received from a female alleging that a taxi driver who had been sent to collect her adult son from the Forth Valley Royal Hospital had not assisted him from the hospital ward to the taxi. The taxi driver was also alleged to have made remarks about the nature of the hire. The taxi driver was subsequently interviewed and strenuously denied the allegation. However, the driver was written to and reminded to conduct himself in a civil and proper manner at all times. The complainer was advised of the outcome of the enquiry.

4.2 A complaint was received from a female motorist alleging that a female taxi driver on a school hire at Graeme High School, Falkirk, had been driving at excessive speed within the school grounds. The taxi driver was also alleged to have been using her mobile phone whilst driving. The driver was subsequently interviewed and denied the allegation. However, the driver was written to and reminded to drive her taxi in a safe and proper manner at all times. The complainer was advised of the outcome of the enquiry.

4.3 A complaint was received from a male alleging that a taxi driver taking him from Tesco, Camelon, to his home address in Stenhousemuir had been sarcastic in his response to questions asked by the complainer during the journey. It was also alleged that when the taxi driver had dropped off the complainer he had made an offensive remark toward the complainer when driving off. The driver was subsequently interviewed and strenuously denied the allegations. However, the driver was written to and reminded to conduct himself in a civil and proper manner at all times. The complainer was advised of the outcome of the enquiry.

5. RECOMMENDATION

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

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Chief Governance Officer

Date: 7 January 2014

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

LIST OF BACKGROUND PAPERS

None