

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – DECEMBER 2013
Meeting: CIVIC LICENSING COMMITTEE
Date: 19 February 2014
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in December 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 December 2013, 45 taxis and 9 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 matters:-

Taxi Operator 317 – The taxi holder's name and vehicle licence number sticker was missing from the nearside of the taxi.
This is a breach of taxi licence condition numbers 13.

Taxi Operator 451 – The fire extinguisher and first aid kit were not being carried in the vehicle.
This is a breach of conditions number 8 and 9.

2.4 Both operators 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. They have now fully complied.

3. CIVIC LICENSING ENFORCEMENT CHECKS

3.1 During December 2013, the Licensing Enforcement Officer undertook 28 civic licensing compliance checks/enquiries.

3.2 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

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

- Houses in Multiple Occupation (HMO's) – five enquiries were carried out in relation to 3 properties. All of the properties were found to be not operating as an HMO.
- Second Hand Dealers – five routine checks of licensed premises were carried out. This resulted in one variation form being posted out for a change in the day to day manager. One enquiry was also carried out which resulted in an application being submitted for a new second hand car dealer business
- Late Hours Catering – two routine checks were carried out and four enquiries were also carried out to establish whether a licence is required. This resulted in one application being submitted for premises that were previously licensed.
- Street Trader – four routine checks were carried out and two enquiries were also carried out. This resulted in one application for a temporary licence being submitted. The other enquiry resulted in the busker being told to stop selling cds and make an application.
- Skin Piercing – two checks of licensed premises were carried out. Both premises were found to be in order.
- Knife Dealer – one check of licensed premises was carried out.
- Public Entertainment – one enquiry carried out and an application form was thereafter submitted.

3.4 In addition to the above, the Licensing Enforcement Officer carried out 1 knowledge test involving 3 candidates. 16 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

- 4.1 A complaint was received from a male who alleged that a taxi driver in the taxi rank Newmarket Street, Falkirk, had refused to take him as a hire. The taxi driver concerned was interviewed and stated that due to the complainer's behaviour and demeanour he had refused to take him.
- 4.2 A complaint was received from a female alleging that when she had been entering the rear seat of a taxi at the taxi rank Newmarket Street, Falkirk, the driver had moved off causing her to fall to ground whereby she sustained bruising to her legs and damage to her clothing. When interviewed the driver concerned stated that he had only moved off as he thought all of his passengers had entered the taxi. He was advised to ensure that in future all of his passengers were safely seated in the taxi before moving off. He was issued with a warning letter regarding this incident. The driver fully compensated the complainant by paying for replacement clothing.
- 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: 10 February 2014

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

LIST OF BACKGROUND PAPERS

None