

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – APRIL 2014
Meeting: CIVIC LICENSING COMMITTEE
Date: 18 June 2014
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in April 2014. 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 April 2014, 36 taxis and 3 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 354 – The fire extinguisher and first aid kit were not being carried.
This is a breach of taxi licence condition numbers 8 and 9.

Taxi Operator 365 – The taximeter seal was missing.
This is a breach of taxi licence condition number 31.

Taxi Driver 1935 – Not carrying his taxi driver licence.
This is a breach of taxi driver licence condition number 2.

The operators and driver were written to and requested to attend the licensing offices and provide evidence that the matters detailed had been attended to. They have now fully complied.

3. CIVIC LICENSING ENFORCEMENT CHECKS

3.1 During April 2014, the Licensing Enforcement Officer undertook 15 civic licensing compliance checks/enquiries.

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

- Houses in Multiple Occupation (HMO's) – one enquiry was carried out in relation to a property and it was established that it was not operating as an HMO. One check of a licensed property was also carried out and it was found to be unoccupied and advertised for sale.
- Second Hand Dealers – four routine checks of licensed premises were carried out to ensure that the licenceholder details were correct, that the licence was being displayed property and that the register of sales was being kept up to date. All were in order.
- Late Hours Catering – one enquiry carried out and an application form posted out to the new owner of the premises. An application has now been submitted.
- Metal Dealer – one enquiry was carried out regarding an application.
- Skin Piercing – one enquiry was carried out and an application form posted out.
- Booking Office – two enquiries were carried out at licensed offices following complaints received regarding a taxi and private hire car driver. The offices were found to be operating in accordance with their licence conditions.
- Street Trader – one check of a licensed trader (ice cream van) was carried out and found to be operating in accordance with the licence conditions.
- Window Cleaner – three checks were carried out in a joint operation with the Police. This resulted in two persons being charged by the Police for operating without a licence. They have since made application for a licence. The third person checked was the holder of a current licence.

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 1 knowledge tests involving 1 candidate. 10 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

- 4.1 A complaint was received from a male taxi driver who alleged that he had witnessed a private hire car driver accepting a hire which he believed had not been pre-booked. This had occurred in Carron Road, Falkirk. Enquiry with the taxi company who operate the vehicle established that the private hire car driver concerned had been on an account hire with the pick up being at the time and location provided by the taxi driver.
- 4.2 A complaint was received from a male taxi driver who alleged that he had witnessed a private hire car driver accepting a hire which had not been pre-booked from Falkirk High Railway Station. Enquiry was made with the taxi company that the private hire car driver operated for and it was established that he had dropped off a pre-booked hire at Falkirk High Railway Station, but that he had no pre-booked hire to pick up from this location. The driver was traced and interviewed and initially claimed that he had picked up a member of his family. However, prior to further enquiry being carried out the driver attended at the licensing office and freely admitted that it had not been a family member that he had picked up and that the hire had not been pre-booked. The matter was fully considered and given that this was the first time that he had come to the adverse notice of the licensing authority he was issued with a formal warning letter in this instance
- 4.3 A complaint was received from a female resident of Main Street, Stenhousemuir, regarding Stenhouse TOA taxi drivers using the bus stop opposite her house to park up between hires. The chairperson of Stenhouse TOA was spoken to and stated that all of their drivers would be made aware of the complaint and that they would not be parking there in future.
- 4.4 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: 9 June 2014

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LIST OF BACKGROUND PAPERS

None