

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – FEBRUARY 2016
Meeting: CIVIC LICENSING COMMITTEE
Date: 20 April 2016
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in February 2016. 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/ Taxi-Private Hire Licence
- DVLA driving 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
- Wheelchair vehicle ramps

- 2.3 In February 2016, 32 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 046 – was found not to be carrying a tariff sheet.
This is a breach of taxi licence condition number 21.

Taxi Operator 117 – the meter was found to be running 6 minutes fast.
This is a breach of taxi licence condition number 32.

Taxi Operator 135 – the operator name sticker was not being displayed on the vehicle.
This is a breach of taxi licence condition number 13.

Taxi Driver 1046 – the driver was 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 have been attended to. They have now fully complied.

3. CIVIC LICENSING ENFORCEMENT CHECKS

3.1 During February 2016, the Licensing Enforcement Officer undertook 18 civic licensing compliance checks and enquiries.

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

- Second Hand Dealers – five routine checks of licensed premises were carried out to ensure that the licence holder details were correct, that the licence was being properly displayed and that the register of sales was being kept up to date. All were found to be in order. One enquiry was also carried out and an application form issued to a used car dealer.
- Late Hours Catering – five routine checks of licensed premises were carried out which established that there had been a change of day to day manager for one of the premises and a variation form for a licence was subsequently issued. The other checks were all found to be in order. One enquiry also carried out with premises which established that they were now closing at 11pm and did not therefore require to be licensed.
- Street Trader – one routine check of a licensed street trader (ice cream van) was carried out to ensure that the licence holder details were correct. All was found to be in order.
- Window Cleaner – one check of a window cleaner carried out which established that he did not hold a licence to operate in this Council area. An application form was issued.
- Skin Piercing – one routine check of licensed premises was carried out to ensure that the licence holder details were correct and that the licence and notices were being properly displayed. All was found to be in order.
- Booking Office – one check carried out to ensure licence holder details were correct, that the licence was being properly displayed and that the booking register was being kept up to date. All was found to be in order.
- Public Entertainment – one enquiry carried out and an application form issued to premises operating as a laser zone.
- Knife Dealer – one routine check of licensed premises carried out to ensure that the licence holder details were correct, that the licence and appropriate notices were being displayed and that the register of sales was being kept up to date. The premises were found to be fully compliant.

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 six knowledge tests involving eight candidates, two of whom required their answers to be written down for them. 5 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

A complaint was received from a male motorist regarding a private hire car driver who had been on a slip road entering the M9 motorway from the Lathallan roundabout when it is alleged that the private hire car driver pulled across without any warning, causing him to almost drive onto the verge. The private hire car driver was subsequently traced and interviewed and confirmed that he had been the driver on the date in question, but that he had no recollection of any such incident. However, he accepted that his vehicle details had been provided and wished his apologies to be passed on to the complainer.

A complaint was received from a female motorist who claimed that as she had turned into Walker Drive, Dennyloanhead, from the main road she had been made to stop at a road calming measure due to an oncoming taxi being driven fast and failing to give way to her as she had the right of way. She also alleged that as the taxi driver was going past her he had sworn at her. The taxi driver was subsequently traced and interviewed and stated that there was no way he had been driving fast due to the nature of the road and that he had almost been through the road calming measure when the complainer had turned in from the main road. He was also adamant that he had not sworn at her.

A complaint was received from a male person about a taxi driver who had parked near to a pedestrian crossing area close to the entrance to supermarket premises in Camelon. The taxi driver was traced and interviewed and claimed that he had only parked in this manner as he had purchased some heavy wooden items from the shop. He accepted that he should not have parked as close to the pedestrian crossing area and stated that he would not park in such a manner again.

The complainants were advised of the outcome of their complaints and were satisfied with the course 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: 12 April 2016

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

LIST OF BACKGROUND PAPERS

None