

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – MARCH 2016
Meeting: CIVIC LICENSING COMMITTEE
Date: 18 May 2016
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in March 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 March 2016, 28 taxis and 5 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 198 – the meter was found to be running 7 minutes fast.
This is a breach of taxi licence condition number 32.

Taxi Operator 440 – the operator name sticker was not being displayed.
This is a breach of taxi licence condition number 13.

Private Hire Car Operator 28 – no identification stickers were displayed on the fire extinguisher and first aid kit.

This is a breach of private hire car condition number 9 and 10.

Taxi Drivers 0079 and 1071 – the drivers were found not to be carrying their taxi driver licences.

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

The operators and drivers 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 March 2016, the Licensing Enforcement Officer undertook 27 civic licensing compliance checks and enquiries.

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

- Second Hand Dealers – four 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 was issued to a used car dealer, who had moved to new premises.
- Late Hours Catering – four routine checks of licensed premises were carried out which established a change of day to day manager for one of the premises and a variation form for a licence was subsequently issued. It was also established that there was a new owner for another one of the premises and a new application was subsequently received. The other checks were found to be all 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 – three routine checks of licensed street traders (ice cream van; chip van) were carried out to ensure that the licence holder details were correct. All were found to be in order. An enquiry was also made with a new burger van business. However, it was established that they are on the valuation roll and do not therefore require a licence.
- Window Cleaner – one check of a window cleaner was carried out which established that he did not hold a licence to operate in this Council area. An application form was issued.
- Skin Piercing – three routine checks 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 were found to be in order. A follow up enquiry was also made with the applicant for an acupuncture clinic in terms of outstanding information.
- Booking Office – one check was 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. Everything was found to be in order.
- Public Entertainment – one check was carried out to ensure the licence holder details were correct and that the licence was being properly displayed. All was

found to be in order. Three other checks were also made at two funfairs and a circus which were operating under temporary licences.

- House in Multiple Occupation – two enquiries were carried out following information about the number of persons alleged to be residing in the properties. One property in Bo'ness and the other in Polmont. However, it was established that they were not operating as HMO's.

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 four knowledge tests involving five candidates, one of whom required their answers to be written down for them. 10 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

4.1 A complaint was received from a male motorist regarding a taxi driver who is alleged to have cut across him when driving away from the traffic lights in Hope Street, Falkirk, near to Upper Newmarket Street. The taxi driver was subsequently traced and interviewed and claimed that he had changed lanes due to a bus that had been obstructing his lane of traffic. He did not believe that he had cut across any other driver, but wished to apologise if that was the case. He was reminded that he should drive in a safe and proper manner in his taxi at all times.

The complainant was advised of the outcome of their complaint and was 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: 10 May 2016

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

LIST OF BACKGROUND PAPERS

None