



AGENDA ITEM

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**Civic Licensing Enforcement –
May/June 2016**

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FALKIRK COUNCIL

Subject: Civic Licensing Enforcement – May/June 2016
Meeting: Civic Licensing Committee
Date: 24 August 2016
Author: Chief Governance Officer

1. Introduction

1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in May and June 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

2.3 In May and June 2016, 52 taxis and 4 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 029 – was found not to be carrying a first aid kit.
This is a breach of taxi licence condition number 9.

Taxi Operator 070 – the meter seal was broken.
This is a breach of taxi licence condition number 31.

Taxi Operator 134 –the wheelchair ramps were not being carried in the vehicle.

This is a breach of taxi licence condition number 10. The owner/ operator explained that he had taken the taxi to be cleaned and had forgotten to put the ramps back into the taxi. His driver had taken out the taxi without checking to ensure that everything was in order. The driver was instructed to go “off the road” until the ramps were in place. The driver left the taxi ran and returned a short time later with the ramps in place.

Taxi Operator 142 – the licence holder name sticker was missing.
This is a breach of taxi licence condition number 13.

Taxi Operator 204 – the meter seal was missing.
This is a breach of taxi licence condition number 31.

Taxi Drivers 1579 and 1794 – were found not to be carrying a taxi driver licence or identification badge.
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 May and June 2016, the Licensing Enforcement Officer undertook 60 civic licensing compliance checks and enquiries.

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

- Second Hand Dealers – fifteen 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. Four enquiries were also carried out and application forms were issued.
- Late Hours Catering – seven routine checks of licensed premises were carried out to ensure that the licence holder details were correct and that the licence was being properly displayed. All were found to be in order. One enquiry was also carried out and an application form issued. On 27 May 2016 as part of an operation involving Police Scotland and the Immigration Enforcement Service seven licensed premises were visited and were fully compliant with their licence conditions.
- Skin Piercing – six routine checks of licensed premises were 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.

- Public Entertainment – one routine check was made with a funfair operating under a temporary licence. All was found to be in order.
- Street Trader – five routine checks of licensed street traders (four balloon and novelty toy sellers, one African beads/necklace seller) were carried out to ensure that the licence holder details were correct and that the licence was being carried. All were found to be in order. An enquiry was also carried out with three unlicensed street traders and application forms were issued. They have subsequently submitted applications.
- Window Cleaner - five routine checks of licensed window cleaners were carried out. All were found to be in order. One check of an unlicensed window cleaner was carried out and an application form issued.
- House of Multiple Occupation – enquires were carried out at an address in Camelon and two addresses in Falkirk. None of the premises were found to be operating as unlicensed HMO's
- Booking Office – one check carried out to ensure licence holder details were correct, that the licence was being properly displayed and that booking register was being kept up to date. Everything was found to be in order.
- Knife Dealer – one routine check of licensed premises was carried out to ensure 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.

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 In addition to the above, the Licensing Enforcement Officer carried out 9 knowledge tests involving 8 candidates. 22 site notice checks were also carried out.

4. Civic Licensing complaints

- 4.1 A complaint was received from a female motorist alleging that a taxi driver on the Earlsgate roundabout, Grangemouth, had cut across in front of her while exiting the roundabout towards Falkirk, causing the complainer to take avoiding action. The taxi driver was subsequently interviewed and denied the allegation. He claimed that he had been in the correct lane and that he had signalled his intention to move to another lane in good time.

A complaint was received from a female member of staff at Falkirk High Station alleging that a taxi driver had sworn at her when she had prevented him from using the toilet facilities at the Station. The taxi driver was subsequently interviewed and denied the allegation.

A complaint was received from a male motorist alleging that a private hire car driver had been driving in what he considered was a dangerous manner when entering the A8 from a slip road near to Edinburgh Airport and cutting in front of him. The private hire car driver was subsequently interviewed and denied the allegation. He claimed that he had been following other cars and that due to the volume of traffic at the time he had to drive to finish of the slip road before he was able to join the main carriageway.

The complainants were advised of the outcomes 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: 16 August 2016

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

LIST OF BACKGROUND PAPERS

None