



# **Agenda Item 5**

**Civic Licensing Enforcement –  
July & August 2016**

**Falkirk Council**

**Subject:** Civic Licensing Enforcement – July & August 2016  
**Meeting:** Civic Licensing Committee  
**Date:** 28 September 2016  
**Author:** Chief Governance Officer

**1. Introduction**

1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in July & August 2016. Details of these are outlined in the following sections of the report. During this period the Licensing Enforcement Officer has been assisting with the administration and processing of applications as there are staff shortages due to sickness absence and annual leave being taken.

**2. Taxi/Private Hire 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

2.3 In July & August 2016, 29 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 089 – the taximeter was found to be running 8 minutes fast. This is a breach of taxi licence condition number 32.

Taxi Operator 096, 208 and 350 – the rear plate was displayed in the rear window.

This is a breach of taxi licence condition number 5.

Taxi Operator 153 – the operator name sticker was missing.  
This is a breach of taxi driver licence condition number 13.

Taxi Operator 231 – the taximeter was found to be running 5 minutes fast.  
This is a breach of taxi licence condition number 32.

Taxi Operator 440 – there was no identification sticker on the fire extinguisher and first aid kit.

This is a breach of taxi licence conditions number 8 and 9.

The operators (who were all first time offenders) were advised to attend at the licensing offices with their taxis for inspection. They have all fully complied.

### **3. Civic Licensing Enforcement Checks**

3.1 During July & August 2016, the Licensing Enforcement Officer undertook 24 civic licensing compliance checks and enquiries.

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

- Second Hand Dealers – nine 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. With the exception of one business all were found to be in order. The premises in question were not recording the required information in their register of sales. Staff were spoken to and a letter detailing the issue was also sent to the licence holder. Two enquiries were also carried out and application forms issued.
- Street Trader – one routine check was carried out to ensure that the licence holder details were correct (selling African beads, bracelets). All was found to be in order.
- House of Multiple Occupation – one enquiry was carried out at an address in Grangemouth. The property was not found to be operating as an unlicensed HMO.
- Window Cleaner – one routine check of a licensed window cleaner was carried out with no issues as a result.
- Skin Piercing – two 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 was found to be in order.

- Booking Office – one enquiry was made in relation to a driver complaint. The licence holder details were correct, the licence was being properly displayed and the booking register was being kept up to date.
- Late Hours Catering – five 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. These visits resulted in two licence variation forms being issued in relation to new day to day managers. One enquiry was also carried out and an application form issued.
- Knife Dealer – a routine check established that the one licensed premises in the area has now ceased trading.

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 8 site notice checks. One taxi driver knowledge test involving four candidates was also carried out.

#### **4. Civic Licensing Complaints**

4.1 A complaint was received from a female motorist alleging that when she had stopped for oncoming traffic in Main Street, Brighton, a taxi driver behind her had sounded his horn and had been verbally abusive towards her. She also added that when she had moved off the taxi driver had driven very close to the rear of her car. The taxi driver was subsequently interviewed and strenuously denied that he had driven or behaved in such a manner towards the complainer.

The complainant was advised of the outcome and was not satisfied with the response from the taxi driver. However, it was pointed out to her that as there was no independent witnesses to the incident it was her word against his. She did not respond to this.

A complaint was also received from a registered blind male alleging that the female driver of a taxi had refused to take him and his guide dog. This matter is currently being investigated.

**5. Letter of Appreciation**

5.1 A letter of appreciation was also received from a couple from Monifieth, Angus, requesting that their thanks be passed on to the driver of a Falkirk taxi who had assisted them in finding their way to the Kelpies. They had asked him for directions and he had insisted on them following him there. He had not taken any payment for this. Their letter was acknowledged and their thanks were passed on to the driver by letter.

**6. Recommendation**

6.1 It is recommended that Members note the contents of this report.

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**Chief Governance Officer**  
**Date: 19 September 2016**

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

**List of background papers**  
None