

The background of the slide features a large, light blue watermark of the Coat of Arms of the Commonwealth of the Northern Mariana Islands. The coat of arms consists of a shield divided into four quadrants. The top-left quadrant shows a sailing ship on waves. The top-right quadrant shows a deer's head with antlers. The bottom-left quadrant shows a sun rising over waves. The bottom-right quadrant shows a bird with spread wings. Above the shield is a crown with four floral motifs. A banner at the bottom contains the text "A NE FOR A'".

Agenda Item 5

Knowledge Test Failure

Falkirk Council

Subject: Knowledge Test Failure
Meeting: Civic Licensing Committee
Date: 14 March 2018
Author: Chief Governance Officer

1. Application for the grant of a new taxi driver licence

- 1.1 Mr Regan submitted an application for a new taxi driver licence on 18 August 2017. His application must be considered before 17 May 2018. The applicant sat the knowledge test on 24 August 2017 and attained 43%. The applicant was then invited to attend for the test on 28 September and failed to attend or to advise that he could not attend.
- 1.2 The applicant was then advised of a further test that had been arranged for him on 6 October. On this occasion he contacted the licensing offices to confirm he was unable to attend.
- 1.3 Arrangements were made for a test on 22 November and the applicant once again failed to attend or to advise that he could not make the test.
- 1.4 The applicant was then emailed on 21 December 2017 and advised that due to the Council only having a limited time to determine an application should he not have sat and passed the knowledge test by February 2018 then his application would be referred to a meeting of the Council's Civic Licensing Committee to consider the refusal of the application. No response was received from the applicant in relation to this email.
- 1.5 The applicant was contacted once more on 11 January 2018 and invited to attend a test on 25 January 2018. He did not attend or advise that he was unable to make the test.
- 1.6 It is the view of officers that the applicant has little prospect of passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that he has not sat and passed the knowledge test.
- 1.7 The applicant has not been invited to sit a medical as yet.
- 1.8 The applicant was notified in a letter of his failure to pass the test and subsequent failure to attend arranged tests and that the matter would be considered by the Committee. The letter explained that he could submit a letter in support of his application which would form part of this report. At the time of finalising this report no letter has been received.

2. Recommendation

It is recommended that Members consider the terms of the report.

The options available to the Members are:-

2.1

- (a) to refuse to grant the TAXI DRIVER licence in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicant, having failed to pass the knowledge test, has failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates and the layout of roads in the area; or**
- (b) if Members are satisfied that there are other relevant circumstances that warrant a departure from policy, to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to Committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the TAXI DRIVER licence.**

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Chief Governance Officer

Date: 5 March 2018

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

LIST OF BACKGROUND PAPERS

None