

The background of the slide features a large, light blue crest of the University of Alberta. The crest is a shield divided into four quadrants. The top-left quadrant shows a cross with a chevron. The top-right quadrant shows a stag's head with antlers. The bottom-left quadrant shows a sailing ship on wavy lines. The bottom-right quadrant shows a beaver. Above the shield is a crown with four maple leaves. Below the shield is a banner with the motto "ANNE FOR A".

Agenda Item 5

Knowledge Test Failure

Falkirk Council

Subject: Knowledge Test Failure
Meeting: Civic Licensing Committee
Date: 28 November 2018
Author: Chief Governance Officer

1. Application for the Grant of a New Taxi Driver Licence

Mr Cantley

- 1.1 Mr Cantley submitted an application for a new taxi driver licence on 1 August 2018. His application must be considered before 30 April 2019. The applicant has failed to pass the knowledge test despite 4 attempts.
- 1.2 Mr Cantley was invited to sit the test on 23 August and attained 67%. He was then invited on 6 September and attained 62%.
- 1.3 Mr Cantley was invited to sit the test on 27 September and he attained 53%. He was then given a fourth opportunity to sit and pass the knowledge test on 18 October and attained 70%.
- 1.4 It is the view of officers that the applicant has little prospect in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that he has not passed the knowledge test.
- 1.5 The applicant has not been invited to sit a medical as yet.
- 1.6 Mr Cantley was notified in a letter of his failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained he could submit a letter in support of his application which would form part of this report. At the time of preparing this report no letter has been received.

Mr Owen

- 1.7 Mr Owen submitted an application for a new taxi driver licence on 14 September 2018. His application must be considered before 13 June 2019. The applicant has failed to pass the knowledge test despite 4 attempts.
- 1.8 Mr Owen was invited to sit the test on 4 October and attained 79%. He was then invited on 11 October and attained 69%.
- 1.9 Mr Owen was invited to sit the test on 1 November and he attained 67%. He was then given a fourth opportunity to sit and pass the knowledge test on 8 November and attained 63%.

- 1.10 It is the view of officers that the applicant has little prospect in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that he has not passed the knowledge test.
- 1.11 The applicant has not been invited to sit a medical as yet.
- 1.12 Mr Owen was notified in a letter of his failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained he could submit a letter in support of his application which would form part of this report. At the time of preparing this report no letter has been received.

Mr Hussain

- 1.13 Mr Hussain submitted an application for a new taxi driver licence on 28 August 2018. His application must be considered before 27 May 2019. The applicant has failed to pass the knowledge test despite 4 attempts.
- 1.14 Mr Hussain was invited to sit the test on 20 September and attained 62%. He was then invited on 4 October and attained 52%.
- 1.15 Mr Hussain was invited to sit the test on 25 October and he attained 54%. He was then given a fourth opportunity to sit and pass the knowledge test on 8 November and attained 76%.
- 1.16 It is the view of officers that the applicant has little prospect in passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that he has not passed the knowledge test. That said, it is of note that the applicant has generally shown improvement in his two test attempts, Members may wish to give consideration to affording the applicant a fifth and final attempt to pass the test.
- 1.17 The applicant has not been invited to sit a medical as yet.
- 1.18 Mr Hussain was notified in a letter of his failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained he could submit a letter in support of his application which would form part of this report. Mr Hussain has submitted a letter which will be available to circulate at the meeting.

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 licences in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicants, having failed to pass the knowledge test, have failed to satisfy the Authority that they had adequate knowledge of the area to which the licence relates; the layout of roads in the area and of the Council's licence conditions; or**
- (b) to give the applicants a final opportunity to take and pass the knowledge test, and should the applicants fail the knowledge test, to authorise the Chief Governance Officer to refuse the applications without further reference to Committee in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicants, having failed to pass the knowledge test, have failed to satisfy the Authority that they had adequate knowledge of the area to which the licence relates; the layout of roads in the area and of the Council's licence conditions;**
- (c) if Members are satisfied that there are other relevant circumstances that warrant a departure from policy, to instruct officers to arrange for the applicants to undertake a medical; and should they fail the medical to remit the matter back to Committee for consideration; should the applicants pass the medical, to authorise the Chief Governance Officer to grant the TAXI DRIVER licences.**

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Chief Governance Officer
Date: 19 November 2018

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LIST OF BACKGROUND PAPERS

None