

The background of the slide features a large, light blue crest of the University of Alaska. The crest is shield-shaped with a crown on top. The shield is divided into four quadrants: top-left shows a ship, top-right shows a moose head, bottom-left shows a ship, and bottom-right shows an eagle. A banner at the bottom contains the text 'A NE FOR A'.

Agenda Item 5

Knowledge Test Failures

Falkirk Council

Subject: Knowledge Test Failures
Meeting: Civic Licensing Committee
Date: 6 February 2019
Author: Chief Governance Officer

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

Mr Henderson

- 1.1 Mr Henderson submitted an application for a new taxi driver licence on 11 September 2018. His application must be considered before 10 June 2019. The applicant has failed to pass the knowledge test having had one attempt.
- 1.2 Mr Henderson was invited to sit the test on 4 October 2018 and he attained 75%. He was then invited to attend on 11 October, 1, 15 and 22 November and 6 December 2018 and did not attend on each occasion.
- 1.3 Mr Henderson was given a further opportunity to attend on 10 January 2019 and did not attend.
- 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 Henderson 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 Anderson

- 1.7 Mr Anderson submitted an application for a new taxi driver licence on 2 October 2018. His application must be considered before 1 July 2019. The applicant has failed to pass the knowledge test having had one attempt.
- 1.8 Mr Anderson was invited to sit the test on 10 October 2018 and was unable to attend. He was then invited to attend on 25 October 2018 and did not attend. He was invited to attend on 8 November 2018 and attained 43%. Mr Henderson was then invited to attend on 22 November and 6 December 2018 and did not attend.

- 1.9 Mr Henderson was then given two further opportunities to attend on 10 and 17 January 2019. He did not attend on 10 January and advised that due to work commitments he would be unable to attend on 17 January 2019.
- 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 Henderson 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 her application which would form part of this report. At the time of preparing this report no letter has been received.

Mr Grimshaw

- 1.13 Mr Grimshaw submitted an application for a new taxi driver licence on 15 October 2018. His application must be considered before 14 July 2019. The applicant has failed to pass the knowledge test despite four attempts.
- 1.14 Mr Grimshaw was invited to sit the test on 1 November 2018 and was unable to attend. He was invited to attend on 10 November 2018 and he attained 73%. He was then invited on 22 November 2018 and attained 65%.
- 1.15 Mr Grimshaw was invited to sit the test on 28 November and 12 December 2018 but was unable to attend. He was then invited to attend on 18 December 2018 and he attained 71%.
- 1.16 Mr Grimshaw was then given a final opportunity to sit and pass the test on 10 January 2019 and attained 78%.
- 1.17 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.
- 1.18 The applicant has not been invited to sit a medical as yet.
- 1.19 Mr Grimshaw 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.

Ms Shedden

- 1.20 Ms Shedden submitted an application for a new taxi driver licence on 31 October 2018. Her application must be considered before 30 July 2019. The applicant has failed to pass the knowledge test despite four attempts.
- 1.21 Ms Shedden was invited to sit the test on 15 November 2018 and she attained 70%. She was then invited to sit the test on 28 November 2018 and attained 69%.
- 1.22 Ms Shedden was then invited to sit the test on 6 December 2018 and attained 74%. Ms Shedden was then given a final opportunity to sit and pass the test on 18 December 2018 and attained 65%.
- 1.23 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 she has not passed the knowledge test.
- 1.24 The applicant has not been invited to sit a medical as yet.
- 1.25 Ms Shedden was notified in a letter of her failure to pass the knowledge test and that the matter would be considered by the Committee. The letter explained she could submit a letter in support of her application which would form part of this report. Ms Shedden has submitted a letter in support of her application. Copies of the letter 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 applicant pass the medical, to authorise the Chief Governance Officer to grant the TAXI DRIVER licences.

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Chief Governance Officer
Date: 28 January 2019

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

LIST OF BACKGROUND PAPERS

None