

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 contains a stylized building. The top-right quadrant contains a stag's head with large antlers. The bottom-left quadrant contains a sailing ship on wavy lines representing water. The bottom-right quadrant contains a beaver. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the motto "ANNE FOR A".

## **Agenda Item 5**

# **Knowledge Test Failure**

**Falkirk Council**

**Subject:** Knowledge test failure  
**Meeting:** Civic Licensing Committee  
**Date:** 13 March 2019  
**Author:** Chief Governance Officer

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

**Mr Horton**

- 1.1 Mr Horton submitted an application for a new taxi driver licence on 6 November 2018. His application must be considered before 5 August 2019. The applicant has failed to pass the knowledge test having had two attempts.
- 1.2 Mr Horton was invited to sit the test on 15 November 2018 and attained 59%. Mr Horton was then invited to sit the test on 22 November and attained 55%.
- 1.3 Mr Horton was invited to attend on 6 December 2018 and also 10 January 2019 and did not attend. He was then invited to attend on 17 and 31 January 2019 but advised that due to work commitments that he was unable to attend. Mr Horton was given a further opportunity to attend on 7 February 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 Horton 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.

## **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 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 applicant a final opportunity to take and pass the knowledge test, and should the applicant fail the knowledge test, to authorise the Chief Governance Officer to refuse the application without further reference to Committee 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, 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 applicant 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 licence.**

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**Chief Governance Officer**  
**Date: 4 March 2019**

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

### **LIST OF BACKGROUND PAPERS**

None