

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 building, the top-right shows a stag's head with antlers, the bottom-left shows a sailing ship on water, and the bottom-right shows an eagle with spread wings. 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: 15 May 2019
Author: Chief Governance Officer

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

Mr Sethi

- 1.1 Mr Sethi submitted an application for a new taxi driver licence on 4 October 2018. His application must be considered before 3 July 2019. The applicant has failed to pass the knowledge test having had one attempt.
- 1.2 Mr Sethi was invited to sit the test on 15 November 2018 and due to illness was unable to attend. He was then invited to attend on 28 November 2018 and he attained 57%.
- 1.3 Mr Sethi was then invited to sit the test on 18 December 2018 and did not attend. He invited to attend on 24 January 2019 and he contacted the licensing office and confirmed that he was unable to attend and requested that future test dates avoid Mondays and Thursdays as these days were not convenient.
- 1.4 A further test was arranged on Tuesday 12 February 2019 and Mr Sethi did not attend. He was invited to attend on Tuesday 5 March 2019 and Mr Sethi contacted the licensing office to confirm that he was unable to attend and requested that a test date be arranged in April.
- 1.5 Mr Sethi was invited to sit the test on Tuesday 2 April 2019 and did not attend.
- 1.6 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.
- 1.7 The applicant has not been invited to sit a medical as yet.
- 1.8 Mr Sethi 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.

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, 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;**
- (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: 3 May 2019

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

LIST OF BACKGROUND PAPERS

None