

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 stylized building. The top-right quadrant shows a stag's head with antlers. The bottom-left quadrant shows a sailing ship on wavy lines representing water. The bottom-right quadrant shows a beaver. Above the shield is a crown with four floral motifs. 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: 12 June 2019
Author: Chief Governance Officer

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

Mr Chorvath

- 1.1 Mr Chorvath submitted an application for a new taxi driver licence on 19 November 2018. His application must be considered before 18 August 2019. The applicant has failed to pass the knowledge test having had two attempts.
- 1.2 Mr Chorvath was invited to sit the test on 6 December 2018 and due to illness was unable to attend. He was then invited to attend on 17 January 2019 and he attained 63%.
- 1.3 Mr Chorvath was then invited to sit the test on 31 January 2019 and attained 70%. He was then invited to attend on 14 February 2019 and he contacted the licensing office and confirmed that he was unable to attend due to a Doctor's appointment.
- 1.4 A further test was arranged on 28 February 2019 and although Mr Chorvath confirmed he was able to attend he did not appear at the test.
- 1.5 Mr Chorvath was then invited to sit the test on 14 March 2019 and 18 April 2019 and did not attend on either occasion.
- 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 Chorvath 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: 4 June 2019

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

LIST OF BACKGROUND PAPERS

None