



Agenda Item 5

Knowledge Test Failure

Falkirk Council

Subject: Knowledge test failure
Meeting: Civic Licensing Committee
Date: 5 February 2020
Author: Chief Governance Officer

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

Mr Taylor

- 1.1 Mr Taylor submitted an application for a new taxi driver licence on 5 June 2019. His application must be considered before 4 March 2020. The applicant has failed to pass the knowledge test despite three attempts.
- 1.2 Mr Taylor was invited to sit the test on 25 July 2019 and he attained 60%. He was then invited on 8 August 2019 and attained 62%.
- 1.3 Mr Taylor was invited to sit the test on 22 August and 5 September 2019 and was unable to attend.
- 1.4 Mr Taylor was given further opportunities to attend on 3, 17 and 31 October and 8 November 2019 and was unable to attend
- 1.5 Mr Taylor was then given a final opportunity to sit and pass the test on 20 December 2019 and attained 59%.
- 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 Taylor 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: 24 January 2020

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

LIST OF BACKGROUND PAPERS

None