

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 2 DECEMBER 2015 at 9.30 a.m.

COUNCILLORS: Baillie William Buchanan
Paul Garner
Gordon Hughes
Depute Provost John Patrick
Provost Pat Reid (Convenor)
Sandy Turner

OFFICERS: Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Frances Kobiela, Senior Solicitor
Brian Samson, Enforcement Officer (CL92-CL96)
John Sleith, Environmental Health & Trading Standards Manager (CL105)

CL92. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Jim Blackwood and Ann Ritchie.

CL93. DECLARATIONS OF INTEREST

No declarations were intimated.

CL94. MINUTE

Decision

The minute of the meeting of the Civic Licensing Committee held on 4 November 2015 was approved.

CL95. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN OCTOBER 2015 AND NOTIFICATIONS OF PUBLIC PROCESSIONS PENDING

The committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 October and 31 October 2015 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

Decision

The committee noted the report.

CL96. CIVIC LICENSING ENFORCEMENT – OCTOBER 2015

The committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during October 2015.

The committee noted the report.

CL97. KNOWLEDGE TEST FAILURES

The committee considered a report by the Chief Governance Officer detailing (a) the background to the new practice of allowing officers the discretion to consider whether a fourth attempt to pass the knowledge test be afforded to applicants; (b) summarising three applicants' applications and knowledge test results; (c) the options available to members.

Decision

The committee agreed:-

- (1) to refuse the taxi driver licences in terms of the Civic Government (Scotland) Act 1982, s.13(5) on the grounds that the applicants, Mr S Kazmi and Mr A Brown, having both 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 and the layout of the roads in the area, and**
- (2) that in light of Mr S Purdie's submission, that he be given another opportunity to take the knowledge test. In the event that he achieves a satisfactory mark in the test and passes the appropriate medical test, the Chief Governance Officer is authorised to grant the application. In the event that the applicant fails the knowledge test, the Chief Governance Officer is authorised to refuse the application. In the event that the applicant passes the knowledge test but not the medical examination, the application will be referred back to committee for further consideration.**

CL98. EXCLUSION OF PUBLIC

RESOLVED in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following items of business on the ground that they would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

CL99. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr M, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new private hire car driver licence (a) advising of the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr M spoke in support of the application.

Questions were then asked by members of the committee.

AGREED to an adjournment in order that clarification be sought in relation to a date specified within the applicant's record.

The applicant was then recalled to the meeting.

Decision

The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he 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 private hire car driver licence for a period of one year, subject to the standard conditions and with a warning letter.

CL100. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr A, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a new private hire car driver licence (a) advising of the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr A spoke in support of the application.

Questions were then asked by members of the committee.

Decision

The committee agreed to grant the private hire car driver licence for a period of one year, subject to the standard conditions and with a warning letter.

CL101. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Ms K, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a new taxi driver licence (a) advising of the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Ms K spoke in support of the application.

Questions were then asked by members of the committee.

Decision

The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should she 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 for a period of one year, subject to the standard conditions.

CL102. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr N, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr N spoke in support of the application.

Questions were then asked by members of the committee.

Decision

The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he 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 for a period of one year, subject to the standard conditions.

CL103. REQUEST FOR NOTICE OF EXEMPTION FROM CARRYING A GUIDE DOG, A HEARING DOG OR AN ASSISTANCE DOG

The applicant, Mr Y, entered the meeting.

With reference to Minute of Meeting of the Civic Licensing Committee held on 6 May 2009 (Paragraph CL4 refers), the committee considered a report by the Chief Governance Officer on an application received from the licence holder requesting a notice of exemption from the requirement to carry guide dogs, hearing dogs or assistance dogs in his taxi.

The report set out the background to the application and the implications of the Taxi Drivers' Licences (Carrying a Guide Dogs and Hearing Dogs) (Scotland) Regulations 2003, and attaching as appendices, letters from the applicant's GP, outlining his medical condition.

Decision

The committee agreed to grant a notice of exemption from the requirement to carry a guide dog, a hearing dog or an assistance dog, which notice will extend for the period of the licence and will be renewed to reflect the period of any renewed licence for as long as the applicant's medical condition remains unchanged.

CL104. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE

Mr C and Mr R, the two directors of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the renewal of a late hours catering licence (a) advising of the background to the application; (b) referring to the recent amendments made to the policy and conditions applicable to late hours catering licences as it relates to Falkirk Town Centre, and (c) detailing the consultations undertaken and the responses received.

Mr C and Mr R were heard in support of the application.

Questions were then asked by members of the committee.

AGREED that a short adjournment take place.

The applicants were then recalled to the meeting.

Decision

The committee agreed:-

- (1) that there was no justification to depart from Council policy with regard to these premises, and**
- (2) that the following terminal hours be granted for a period of one year, which reflect the Council's policy and conditions applicable to late hours catering licences, within Falkirk Town Centre, namely -**

Sunday to Thursday - 2.30 a.m.

Friday and Saturday – 3.30 a.m.

Sunday to Thursday – 3.30 a.m.*

Friday and Saturday – 4.30 am.*

***during the festive period and on recognised Bank Holidays (as defined in Falkirk Council Licensing Board's Statement of Licensing Policy)**

CL105. APPLICATION FOR THE GRANT OF A NEW SKIN PIERCING AND TATTOOING LICENCE

The applicant, Mr E, together with his friend, Mr K, and Mr Sleith, Environmental Health & Trading Standards Manager, all entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new skin piercing and tattooing licence (a) advising of the background to the application; (b) outlining the licence conditions; (c) detailing the consultations undertaken and responses received, and (d) summarising the experience and training of the proposed tattooist.

Mr E spoke in support of the application.

Mr Sleith was then heard in relation to the application.

Questions were then asked by members of the committee.

Decision

The committee agreed to grant the skin piercing and tattooing licence for a period of one year subject to the standard conditions.

CL106. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr M; Sergeant I McGregor and Brian Renton (Licensing Section), both Police Scotland, all entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing

the consultations undertaken and responses received, which included an objection submitted by Police Scotland, and (c) detailing the applicant's record.

Mr M advised that he had no preliminary points to make on the competency of the objection following which it was circulated.

Sergeant McGregor then spoke in amplification of the objection.

There being no questions for Sergeant McGregor from the applicant or members of the committee, the Convener invited the applicant to present his case.

Mr M was then heard in relation to the objection and in support of his application.

Questions were then asked by members of the Committee.

AGREED that a short adjournment take place to enable the Committee to consider the submissions.

The applicant, Mr M, Sergeant McGregor and Brian Renton left and were then recalled to the meeting.

Decision

Having considered carefully the objection from Police Scotland and having had regard to the submission by the applicant which emphasised the passage of time from the last reported road traffic offence and his changed personal circumstances, the committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he 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 for a period of six months, subject to the standard conditions and with a warning letter. Should the applicant apply to renew the licence thereafter, then the application will be remitted back to the committee for consideration.

FALKIRK COUNCIL

Subject: LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN NOVEMBER 2015 AND NOTIFICATIONS OF PUBLIC PROCESSIONS PENDING
Meeting: CIVIC LICENSING COMMITTEE
Date: 13 January 2016
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The purpose of this report is to provide to Members details of all applications made under the Civic Government (Scotland) Act 1982 which were granted by officers under delegated powers between 1 November and 30 November 2015 along with pending Public Processions.

2. REPORT

- 2.1 The Appendices to this report provide details of applications granted by officers under delegated powers and notifications of pending Public Processions.
- 2.2 Appendix 1 details new and renewal applications made under the Civic Government (Scotland) Act 1982 in relation to taxi and private hire.

November 2015 – Appendix 1

Application Type	Private Hire Operator	Private Hire Driver	Taxi Operator	Taxi Driver
New	1	5	2	4
Renewal	6	5	47	39

- 2.3 Appendix 2 details all other types of new and renewal applications made under the Civic Government (Scotland) Act 1982.

November 2015– Appendix 2

Application	Type	Number
Late Hours Catering	Renewal	3
Public Charitable Collection	Temporary	4
Public Entertainment	Temporary	1
Second Hand Dealer	Renewal	1
Skin Piercing and Tattooing	New	3
Street Trader (Mobile)	Renewal	1
Street Trader (Mobile)	New	1
Street Trader (Static)	Temporary	1

- 2.4 Appendix 3 details 2 parades notified to the licensing authority which area currently pending. This differs from the other applications received as the statutory requirement is

for the Licensing Authority to be notified of a proposed parade or march rather than for an organisation to apply for a licence to hold a parade or march.

3. RECOMMENDATION

3.1 It is recommended that Members note the contents of this report.

.....

Chief Governance Officer

Date: 24 December 2015

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

LIST OF BACKGROUND PAPERS

None.

	Reference No.	Type	Type	Date Received	Status	Decision Date	Individual
1	444	Private Hire Car Driver	New	15/09/2015	Delegate	03/11/2015	Marszol, Catherine Lindsay
2	450	Private Hire Car Driver	New	02/10/2015	Delegate	02/11/2015	Miller, Christopher Andrew
3	393	Private Hire Car Driver	New	02/10/2015	Delegate	02/11/2015	Henderson, Scott Robert
4	452	Private Hire Car Driver	New	15/10/2015	Delegate	13/11/2015	Benton, Alan David
5	454	Private Hire Car Driver	New	26/10/2015	Delegate	24/11/2015	Livingston, Amanda Jane
6	399	Private Hire Car Driver	Renewal	05/10/2015	Delegate	06/11/2015	Gocuk, Armagan
7	332	Private Hire Car Driver	Renewal	06/10/2015	Delegate	06/11/2015	Millar, Ronald Ian
8	320	Private Hire Car Driver	Renewal	09/10/2015	Delegate	06/11/2015	Smith, Gordon Alexander
9	135	Private Hire Car Driver	Renewal	14/10/2015	Delegate	13/11/2015	Grace, Michael Frederick Bernard
10	233	Private Hire Car Driver	Renewal	29/10/2015	Delegate	27/11/2015	Patrick, Alexander
11	037	Private Hire Car Operator	New	20/10/2015	Delegate	18/11/2015	Ansley, David Francis
12	040	Private Hire Car Operator	Renewal	20/10/2015	Delegate	20/11/2015	McFarlane, Ian
13	014	Private Hire Car Operator	Renewal	27/10/2015	Delegate	27/11/2015	Imrie, William
14	071	Private Hire Car Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
15	008	Private Hire Car Operator	Renewal	30/10/2015	Delegate	27/11/2015	Fleming, Caroline Louise
16	032	Private Hire Car Operator	Renewal	30/10/2015	Delegate	27/11/2015	Buchanan, Nicola Catherine
17	015	Private Hire Car Operator	Renewal	30/10/2015	Delegate	27/11/2015	McCleary, Graeme
18	2027	Taxi Driver	New	03/09/2015	Delegate	11/11/2015	Hussain, Majid
19	2028	Taxi Driver	New	09/09/2015	Delegate	25/11/2015	McCracken, Allan William
20	2031	Taxi Driver	New	06/10/2015	Delegate	10/11/2015	Mooney, James McCafferty
21	2033	Taxi Driver	New	08/10/2015	Delegate	25/11/2015	Montgomery, Peter
22	0491	Taxi Driver	Renewal	14/09/2015	Delegate	20/11/2015	Greer, Stephen
23	0745	Taxi Driver	Renewal	05/10/2015	Delegate	06/11/2015	Urquhart, Anthony John
24	1682	Taxi Driver	Renewal	06/10/2015	Delegate	06/11/2015	Gribben, Sean James
25	1279	Taxi Driver	Renewal	06/10/2015	Delegate	06/11/2015	Findlater, William Lyon
26	1546	Taxi Driver	Renewal	07/10/2015	Delegate	06/11/2015	Clover, Robert Cochrane McFarlane
27	1675	Taxi Driver	Renewal	09/10/2015	Delegate	06/11/2015	Potter, John Alexander
28	1427	Taxi Driver	Renewal	13/10/2015	Delegate	13/11/2015	Brotton, James
29	1860	Taxi Driver	Renewal	13/10/2015	Delegate	13/11/2015	Lumsden, John
30	1680	Taxi Driver	Renewal	14/10/2015	Delegate	13/11/2015	George, Leslie
31	1820	Taxi Driver	Renewal	14/10/2015	Delegate	13/11/2015	Connell, Brian
32	0848	Taxi Driver	Renewal	15/10/2015	Delegate	13/11/2015	Meichan, John
33	1519	Taxi Driver	Renewal	15/10/2015	Delegate	13/11/2015	Thomson, Helen
34	1976	Taxi Driver	Renewal	15/10/2015	Delegate	20/11/2015	Fitzsimmons, Rebecca
35	1940	Taxi Driver	Renewal	16/10/2015	Delegate	13/11/2015	Hoggan, David Leonard
36	1935	Taxi Driver	Renewal	19/10/2015	Delegate	20/11/2015	Edmond, Bruce Andrew
37	1211	Taxi Driver	Renewal	20/10/2015	Delegate	20/11/2015	Childs, Barry Raymond
38	0829	Taxi Driver	Renewal	21/10/2015	Delegate	20/11/2015	Fish, Kevin
39	0048	Taxi Driver	Renewal	21/10/2015	Delegate	20/11/2015	Lang, David
40	1273	Taxi Driver	Renewal	21/10/2015	Delegate	20/11/2015	Knox, William
41	1816	Taxi Driver	Renewal	22/10/2015	Delegate	20/11/2015	Easton, Roy
42	1573	Taxi Driver	Renewal	22/10/2015	Delegate	20/11/2015	Sneddon, Paul John
43	1819	Taxi Driver	Renewal	22/10/2015	Delegate	20/11/2015	Wilson, Steven
44	1748	Taxi Driver	Renewal	22/10/2015	Delegate	20/11/2015	Carr, Francis Gordon
45	1849	Taxi Driver	Renewal	22/10/2015	Delegate	20/11/2015	Wilson, Ivin
46	1818	Taxi Driver	Renewal	22/10/2015	Delegate	20/11/2015	Wainwright, James Gilbert Clark
47	0785	Taxi Driver	Renewal	23/10/2015	Delegate	20/11/2015	Gillespie, Frederick
48	1801	Taxi Driver	Renewal	26/10/2015	Delegate	27/11/2015	MacKay, David Livingstone
49	0795	Taxi Driver	Renewal	26/10/2015	Delegate	27/11/2015	Curle, Colin
50	1658	Taxi Driver	Renewal	26/10/2015	Delegate	27/11/2015	Orr, Allan
51	0047	Taxi Driver	Renewal	27/10/2015	Delegate	27/11/2015	Corfield, Rowena
52	1681	Taxi Driver	Renewal	27/10/2015	Delegate	27/11/2015	Miller, Alexander
53	0319	Taxi Driver	Renewal	28/10/2015	Delegate	27/11/2015	Stanners, Michael
54	1325	Taxi Driver	Renewal	28/10/2015	Delegate	27/11/2015	Wilson, Robert
55	1282	Taxi Driver	Renewal	28/10/2015	Delegate	27/11/2015	Sneddon, John Hellevik
56	0740	Taxi Driver	Renewal	29/10/2015	Delegate	27/11/2015	Govan, William Robertson
57	0165	Taxi Driver	Renewal	29/10/2015	Delegate	27/11/2015	Foster, Charles Thomas
58	1217	Taxi Driver	Renewal	29/10/2015	Delegate	27/11/2015	Terras, Paul David William

	Reference No.	Type	Type	Date Received	Status	Decision Date	Individual
59	1662	Taxi Driver	Renewal	30/10/2015	Delegate	27/11/2015	Wilson, Mark
60	0879	Taxi Driver	Renewal	30/10/2015	Delegate	27/11/2015	Davidson, David McQueen
61	209	Taxi Operator	New	15/10/2015	Delegate	13/11/2015	MacKenzie, Cameron Glen
62	055	Taxi Operator	New	27/10/2015	Delegate	25/11/2015	Kerr, Wendy Ann
63	194	Taxi Operator	Renewal	05/10/2015	Delegate	06/11/2015	McMillan, George Paxton
64	099	Taxi Operator	Renewal	12/10/2015	Delegate	06/11/2015	Thomson, Alan
65	322	Taxi Operator	Renewal	13/10/2015	Delegate	13/11/2015	Gray, Dennis Maurice
66	113	Taxi Operator	Renewal	13/10/2015	Delegate	13/11/2015	Fairley, Ian
67	040	Taxi Operator	Renewal	13/10/2015	Delegate	13/11/2015	Meikle, Robert John
68	202	Taxi Operator	Renewal	13/10/2015	Delegate	13/11/2015	Burnett, James Laing
69	201	Taxi Operator	Renewal	15/10/2015	Delegate	13/11/2015	Walker, Jane Dunn
70	133	Taxi Operator	Renewal	15/10/2015	Delegate	13/11/2015	Singh, Jaswinder
71	305	Taxi Operator	Renewal	19/10/2015	Delegate	20/11/2015	Faichney, David
72	481	Taxi Operator	Renewal	20/10/2015	Delegate	20/11/2015	McFarlane, Ian
73	188	Taxi Operator	Renewal	20/10/2015	Delegate	20/11/2015	McFarlane, Ian
74	140	Taxi Operator	Renewal	21/10/2015	Delegate	20/11/2015	Lang, David
75	149	Taxi Operator	Renewal	23/10/2015	Delegate	20/11/2015	Gillespie, Frederick
76	268	Taxi Operator	Renewal	26/10/2015	Delegate	27/11/2015	Wallace, Colin
77	006	Taxi Operator	Renewal	26/10/2015	Delegate	27/11/2015	Mackie, Richard James
78	192	Taxi Operator	Renewal	26/10/2015	Delegate	27/11/2015	Curle, Colin
79	145	Taxi Operator	Renewal	27/10/2015	Delegate	27/11/2015	Corfield, Rowena
80	191	Taxi Operator	Renewal	28/10/2015	Delegate	27/11/2015	Stanners, Michael
81	152	Taxi Operator	Renewal	29/10/2015	Delegate	27/11/2015	McLachlan Taxis
82	413	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
83	445	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
84	470	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
85	471	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
86	485	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
87	486	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
88	489	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
89	490	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
90	493	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
91	494	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
92	018	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
93	060	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
94	259	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
95	419	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
96	427	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
97	435	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
98	438	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
99	440	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
100	442	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
101	443	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
102	444	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
103	448	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
104	451	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
105	454	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
106	178	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Wright, Charles
107	496	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Flemings Taxis (Falkirk)
108	069	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Cairns, Scott John
109	078	Taxi Operator	Renewal	30/10/2015	Delegate	27/11/2015	Kerr, James

	Licence No.	Type	Date	Name	Premises	Status	Date of Decision	Employee Name	Type
1	190	Late Hours Catering	10/09/2015	Ali Ahmadzadeh	King's Takeaway 24 Vicar Street Falkirk FK1 1JB	Delegate	23/11/2015		Renewal
2	162	Late Hours Catering	24/09/2015	Malthurst Petroleum	MRH Kincardine Haughs of Airth Falkirk FK2 8PF	Delegate	13/11/2015	Dhinesh Ponpandian	Renewal
3	227	Late Hours Catering	17/09/2015	L H Camelon Ltd t/a Lucky Ho	L H Camelon Ltd t/a Lucky Ho 36 Union Road Camelon Falkirk FK1 4PG	Delegate	13/11/2015	Chi Keung Ho	Renewal
4	3291	Public Charitable Collection	27/10/2015	Larbert Round Table		Delegate	20/11/2015	Chris Miller	Flag Day
5	/0240	Public Charitable Collection	19/11/2015	Millie's Journey		Delegate	23/11/2015		Flag Day
6	/0186	Public Charitable Collection	23/11/2015	Falkirk Round Table		Delegate	25/11/2015	Graeme Laird	Flag Day
7	/0186	Public Charitable Collection	23/11/2015	Falkirk Round Table		Delegate	25/11/2015	Graeme Laird	Flag Day
8	185	Public Entertainment	12/11/2015	Mischief La-Bas		Delegate	19/11/2015	Louise Allan	Temporary
9	253	Second Hand Dealer	26/10/2015	Cash Converters (Falkirk) Ltd	Cash Converters 18 High Street Falkirk FK1 1EY	Delegate	13/11/2015		Renewal
10	010	Skin Piercing and Tattooing	28/09/2015	Clifton Francis Spencer Wicks	Falkirk Chiropractic Clinic 160 Grahams Road Falkirk FK2 7BY	Delegate	24/11/2015		New
11	034	Skin Piercing and Tattooing	13/07/2015	Flawless Falkirk Ltd	4 Park Street Falkirk FK1 1RE	Delegate	24/11/2015	Sharon McAlpine	New
12	035	Skin Piercing and Tattooing	07/08/2015	Kelie McLean	19 Milne Drive Falkirk FK2 9GT	Delegate	17/11/2015		New
13	1163	Street Trader (Mobile)	05/10/2015	John Fleming		Delegate	13/11/2015		Renewal
14	1314	Street Trader (Mobile)	30/09/2015	Ryan Patrick Harvey		Delegate	25/11/2015		New
15	1330	Street Trader (Static)	27/10/2015	Sarah Grant	The Helix Park Falkirk	Delegate	06/11/2015		Temporary

APPENDIX 3

Ref Number	Notification Date	Organisation	Proposed Date	Expected No of Marchers	Comments Deadline	Status	Route1
76	28-Sep-15	Camelon Mariners Gala Day Association	11-Jun-16	150	28-May-16	Pending	11.45am - Camlon from Lock 16 Camelon, onto Carmuir Avenue, onto Wilson Road, onto Glasgow Road, onto Main Street, onto Dorator Road, onto Nailer Road and conclude at Stirling Road
84	04-Nov-15	Falkirk Victoria Harriers	10-Apr-16	1000	27-Mar-16	Pending	Grangemouth – 12.00 noon Start the "round the houses 10k" Grangemouth Stadium, Inchyra Road, Bo'ness Road, Union Road, Dundas Street, South Lumley Street, Wood Street, Larch Street, MacKenzie Terrace, Newlands Road, Beancross Road, Inchyra Road, continue along pavement onto right hand side of service road, double back on left side of service road and finish at stadium

FALKIRK COUNCIL

Subject: CIVIC LICENSING ENFORCEMENT – NOVEMBER 2015
Meeting: CIVIC LICENSING COMMITTEE
Date: 13 January 2016
Author: CHIEF GOVERNANCE OFFICER

1. INTRODUCTION

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in November 2015. Details of these are outlined in the following sections of the report.

2. TAXI/ PRIVATE HIRE CAR CHECKS

- 2.1 The Licensing Enforcement Officer routinely carries out spot checks of taxis and private hire car vehicles to ensure compliance with licence conditions.

- 2.2 The checks take place at various taxi ranks and other places within the district. The checks consist of a range of items including the following:-

- Id badge/ Taxi-Private Hire Licence
- DVLA driving licence
- Plates displayed
- Tariff Sheet
- Fire Extinguisher
- First Aid Kit
- Taximeter seal
- No commercial adverts displayed on the vehicle without permission
- No smoking signs displayed
- Taxi roof sign
- Condition of vehicle

- 2.3 In November 2015, 35 taxis and 1 private hire car were inspected by the Licensing Enforcement Officer. The majority of these checks were found to be in order with the exception of the following matters:-

Taxi Operator 066 – failing to display the front plate.
This is a breach of taxi licence condition number 5.

Taxi Operator 157 – taximeter was found to be running 6 minutes slow.
This is a breach of taxi licence condition number 32.

Taxi Operator 164 – the operator name sticker was missing.
This is a breach of taxi licence condition number 13.

Taxi Operator 300 – the taximeter seal was found to be broken.
This is a breach of taxi licence condition number 31.

Taxi Operator 435 – there was no inside window stickers fitted.
This is a breach of taxi licence condition number 5.

Taxi Driver 1921 – was found not to be carrying his taxi driver licence.
This is a breach of taxi driver licence condition number 2.

The operators and driver were written to and requested to attend the licensing offices and provide evidence that the matters detailed have been attended to. They have now fully complied.

- 2.4 During the evening of Friday 6 November 2015, a joint taxi operation with the Police took place. The event targeted taxis and private hire cars operating in the Falkirk town centre area. A dozen cars were inspected and there were no major issues as a result. One taxi had a defective near side brake light which was repaired shortly thereafter.

3. CIVIC LICENSING ENFORCEMENT CHECKS

- 3.1 During November 2015, the Licensing Enforcement Officer undertook 22 civic licensing compliance checks and enquiries.

- 3.2 The compliance checks/enquiries involved the following civic activities:-

- Second Hand Dealers – fourteen routine checks of licensed premises were carried out to ensure that the licence holder details were correct, that the licence was being properly displayed and that the register of sales was being kept up to date. All were found to be in order.
- Late Hours Catering – four routine checks of licensed premises were carried out to ensure that the licence holder details were correct and that the licence was being properly displayed. All were found to be in order.
- Street Trader – one routine check of a licensed street trader (snack van) was carried out to ensure that the licence holder details were correct and that the licence was being carried. Everything was found to be in order.
- Booking Office - one routine check was carried out to ensure that the licence holder details were correct, that the licence was being displayed and that the booking register was being kept up to date. Everything was found to be in order.
- Skin Piercing – one enquiry was carried out with a new acupuncture business and an application form was subsequently sent out.
- Public Entertainment – one enquiry was carried out with a new trampoline centre and an application form was sent out.

3.3 These checks consist of a range of items including the following:-

- Licence type
- Licence holder details
- Day to day manager details (if applicable)
- Id badge/ Licence
- Register check (if applicable)
- Vehicle details (if applicable)
- Occupants details

3.4 In addition to the above, the Licensing Enforcement Officer carried out 4 knowledge tests involving 10 candidates. 3 site notice checks were also carried out.

4. CIVIC LICENSING COMPLAINTS

A complaint was received from a Grangemouth Councillor regarding a taxi parked on double yellow lines on a street corner near to Beancross Primary School as the school was going in. The taxi driver when spoken to about where he was parked and asked for his number stated that it was on the back of his taxi. A photograph of where he was parked was then taken and the driver is alleged to have left his taxi and been verbally abusive. The taxi driver was subsequently interviewed and was contrite over what had happened and added that he was not in the habit of parking illegally and would not do so again.

The complainant was advised of the outcome and was satisfied with the course of action undertaken.

5. RECOMMENDATION

5.1 It is recommended that Members note the contents of this report.

.....

Chief Governance Officer

Date: 24 December 2015

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

LIST OF BACKGROUND PAPERS

None

FALKIRK COUNCIL

Subject: KNOWLEDGE TEST FAILURE
Meeting: CIVIC LICENSING COMMITTEE
Date: 13 January 2016
Author: CHIEF GOVERNANCE OFFICER

1. APPLICATIONS FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

- 1.1 Mr Craig Somerville submitted an application for a new taxi driver on 1 September 2015. His application must be considered before 29 February 2016. The applicant sat the knowledge test on 29 September and attained 53%. He sat the test on 5 November and attained 66%. The applicant was invited to sit the test on 19 November and attained 78%. The applicant was afforded a fourth opportunity by officers to sit and pass the knowledge test on 3 December, however he attained 67%
- 1.2 It is the view of officers that the applicant has little prospect of passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that the applicant has not sat and passed the knowledge test.
- 1.3 Mr Steven Purdie submitted an application for a new taxi driver licence on 10 August 2015. His application must be considered before 9 February 2016. The applicant was invited to attend for the test on 10 September, at which point he advised that he was unable to attend due to a hospital appointment and requested that the test be re-arranged for a fortnight later. The applicant was subsequently invited to sit the test on 24 September but advised that he was unable to attend due to illness. Further tests were arranged for 7 October and 5 November. The applicant failed to attend and did not advise that he was unavailable. The matter was reported to Members at the meeting of the Civic Licensing Committee on 2 December 2015. It was also reported at that time that Mr Purdie had not received his letter of invitation to attend for the test on 7 October. Officers were able to confirm at the meeting that the invitation sent by recorded delivery had not in fact been delivered. In view of this the Committee agreed that the applicant be given a further opportunity to sit and pass the knowledge test. Mr Purdie was contacted regarding a test in late December. Mr Purdie advised that he would not be available to sit the test until the New Year. Mr Purdie was thereafter written to and invited to attend a knowledge test that would be arranged for 7 January 2016. Officers will be able to provide a verbal update at the meeting as to whether Mr Purdie attended the test and if so whether he attained a pass mark.
- 1.4 The applicants have not been invited to sit a medical as yet.
- 1.5 Mr Somerville was written to and advised of the report before Members. The letter explained that he could submit a letter in support of the application which would form part of the 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 licences in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the grounds 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 and the layout of roads in the area.; or
- (b) 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.

.....
Chief Governance Officer
Date: 24 December 2015

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

LIST OF BACKGROUND PAPERS

None