

EAST AYRSHIRE COUNCIL

SPECIAL LOCAL GOVERNMENT LICENSING PANEL 10 DECEMBER 2001

CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO EA/TD 256 – ANDREW WITHERS

Report by Director of Community Services

1. PURPOSE OF REPORT

- 1.1 To invite the Licensing Panel to consider suspension of Taxi Driver's Licence Number EA/TD 256 by way of a Hearing.

2. BACKGROUND

- 2.1 The Licensing Panel, at the meeting held on 31 October 2001, agreed to continue consideration of the suspension of Taxi Driver's Licence No EA/TD 256 in order that the licence holder might be given a further opportunity to complete the required Disability Awareness training course.
- 2.2 A copy of the report by the Director of Community Services dated 4 October 2001 is attached at Appendix 1 to this report.

3. DISCUSSION

- 3.1 In accordance with the decision of the Licensing Panel the licence holder has been invited to attend the Disability Awareness training course to be held on 5 December 2001.
- 3.2 Due to the time scales for the submission of reports to the Panel, it is not possible to provide written confirmation of the licence holder's attendance/non-attendance at the course. A verbal report will be provided at the meeting.
- 3.3 At the meeting of the Panel on 31 October 2001, some confusion arose as to the number of occasions the licence holder had been invited to attend the required course and, in order to clarify the position, a statement detailing that information is attached at Appendix 2 to this report.
- 3.4 The licence holder has been invited to attend the meeting today and has been provided with a copy of this report.

4. FINANCIAL IMPLICATIONS

- 4.1 Nil

5. LEGAL AUTHORITY/IMPLICATIONS

- 5.1 In terms of Paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 a Licensing Authority may, in accordance with the provisions of that paragraph, order the suspension of a licence if in their opinion a condition of the licence has been contravened.
- 5.2 In terms Paragraph 11(7) of Schedule 1 to the Act, a Licensing Authority in considering whether or not to suspend a licence may, but before deciding to do so shall give the holder of the licence, any person who has made a relevant complaint and the Chief Constable an opportunity to be heard by the Licensing Authority.

6. POLICY IMPLICATIONS

- 6.1 Nil.

7. CONCLUSIONS

- 7.1 Despite having been given a number of opportunities to undertake the approved course in Disability Awareness Training, the licence holder has failed to attend.
- 7.2 The licence holder is therefore in breach of Condition 19 attached to his Taxi Driver's Licence.

8. RECOMMENDATION

- 8.1 It is recommended that the Panel consider the Suspension of the Taxi Driver's Licence No EA/TD 256 by way of a Hearing.

William Stafford
Director of Community Services

WS/GS

27 November 2001

LIST OF BACKGROUND PAPERS

1. Licensing file No EA/TD 256.

Any person wishing to inspect the background papers listed above should telephone 01563 576111 and ask for Mr John Crawford, Head of Protective Services or e-mail on john.crawford@east-ayrshire.gov.uk.

AGENDA