

EAST AYRSHIRE COUNCIL

LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE- 24 JANUARY 2001

CONSIDERATION OF SUSPENSION OF LICENSED DRIVERS

Report by Director of Community Services

1. PURPOSE OF REPORT

- 1.1 To advise the Sub-Committee of a number of licensed Taxi or Private Hire Car Drivers in breach of Condition 19 attached to their respective licences.

2. BACKGROUND

- 2.1 The Licensing Sub-Committee, at the meeting held on 13 January 1999, agreed that all Taxi and Private Hire Car drivers must undertake the approved course of training in Disability Awareness and meet the required standard of competency, and that a condition to this effect (Condition 19) be added to the standard conditions for Taxi and Private Hire Car Drivers.

3. DISCUSSION

- 3.1 The licensed drivers detailed in the appendix to this report have been invited to attend three or more Disability Awareness Training courses since their licences were granted.
- 3.2 The Licensees have failed to attend as requested.
- 3.3 Failure to undertake the approved course of training in Disability Awareness is a breach of Condition 19 attached to Taxi and Private Hire Car Driver's Licences.

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, whether upon a complaint made to them or not, suspend a licence in accordance with the provisions of that paragraph. The licensees detailed in the appendix have been advised of the contents of this report.

5.2 A Licensing Authority may order the suspension of a licence if in their opinion a condition of the Licence has been contravened.

5.3 In terms of 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 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 three opportunities to undertake the approved course in Disability Awareness Training, the licensees detailed in the appendix have failed to attend.

8. RECOMMENDATION

8.1 It is recommended that the Sub-Committee consider the content of the report and determine whether to consider at a future meeting, suspension of all or any of the Taxi or Private Hire Car Drivers Licences, and if so determined, to invite the licensee(s) and the Chief Constable to attend a Hearing on the matter.

William Stafford
Director of Community Services
16 January 2001

WS/GS

LIST OF BACKGROUND PAPERS

1. Licensing files Nos. EA/TD 467, EA/TD 453, EA/TD 120, EA/TD 428, EA/TD 469, EA/TD 423, EA/TD 465 and EA/TD 454.
2. Standard conditions attached to Taxi/PHC Driver's Licence.

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 email john.crawford@east-ayrshire.gov.uk.

APPENDIX

EA/TD 467 - Mark Wilson, 2 Herdston Place, Cumnock.

Licence granted by East Ayrshire Council on 17 April 2000 and valid until 16 April 2003.

EA/TD 453 - Thomas McCulloch, 62 Turnberry Drive, Kilmarnock.

Licence granted by East Ayrshire Council on 14 February 2000 and valid until 13 February 2003.

EA/TD 120 - John Gordon, 13 Nith Place, Kilmarnock.

Licence renewed by East Ayrshire Council on 2 May 2000 and valid until 3 May 2003.

EA/TD 428 - Alexander Duncan, 12 Somerville Street, Catrine.

Licence granted by East Ayrshire Council on 15 November 1999 and valid until 14 November 2002.

EA/TD 469 - Gordon Copeland, 23 Glen Avenue, Logan.

Licence granted by East Ayrshire Council on 8 May 2000 and valid until 7 May 2003.

EA/TD 423 - John Carruthers, 1 Keir Hardie Crescent, Galston

Licence granted by East Ayrshire Council on 25 October 1999 and valid until 24 October 2002.

EA/TD 465 - Robert Davidson, 57 Annandale Crescent, Crosshouse.

Licence granted by East Ayrshire Council on 3 April 2000 and valid until 2 April 2003.

EA/TD 454 - Graham Davidson, 12 Russell Court, Kilmarnock.

Licence granted by East Ayrshire Council on 28 February 2000 and valid until 27 February 2003.

AGENDA