

## **EAST AYRSHIRE COUNCIL**

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

#### **CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO EA/TD 417- ANDREW MURRAY**

##### **Report by Director of Community Services**

#### **1. PURPOSE OF REPORT**

- 1.1 To invite the Sub-Committee to consider suspension of Taxi Driver's Licence Number EA/TD 417.

#### **2. BACKGROUND**

- 2.1 Andrew Murray has been licensed to drive a taxi since 4 October 1999 and his licence is valid until 3 October 2002.
- 2.2 At the meeting of the Sub-Committee on 1 November 2000 it was agreed to continue consideration of the suspension of Taxi Driver's Licence number EA/TD 417 in order that the Licensee and/or his representative and Strathclyde Police might be invited to attend a Hearing on the application.
- 2.3 A copy of the report by the Director of Community Services dated 10 October 2000 is attached at Appendix 1 to this report.

#### **3. DISCUSSION**

- 3.1 No communication has been received from the licence holder.
- 3.2 Strathclyde Police have intimated that they do not wish to be heard.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 Nil.

#### **5. LEGAL AUTHORITY/IMPLICATIONS**

- 5.1 In terms of Schedule 1 Paragraph 11 of 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 of Schedule 1, Paragraph 11 (7) 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 The Licensing Authority may consider the report by the Director of Community Services dated 10 October 2000 and information provided during the course of the Hearing, in reaching a decision.

## **8. RECOMMENDATION**

8.1 It is recommended that the Sub-Committee consider the Suspension of the Taxi Driver's Licence No EA/TD 417 by way of a Hearing.

William Stafford  
**Director of Community Services**

WS/GS

8 December 2000

### **LIST OF BACKGROUND PAPERS**

1. Licensing file No EA/TD 417.

Any person wishing to inspect the background papers listed above should telephone 01563576111 and ask for Mr John Crawford, Head of Protective Services or e-mail on [john.crawford@east-ayrshire.gov.uk](mailto:john.crawford@east-ayrshire.gov.uk).

**EAST AYRSHIRE COUNCIL**

**LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE -1  
NOVEMBER 2000**

**CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO EA/TD  
417- ANDREW MURRAY**

**Report by Director of Community Services**

**1. PURPOSE OF REPORT**

- 1.1 To advise the Sub-Committee of a breach of conditions attached to Taxi Driver's Licence Number EA/TD 417.

**2. BACKGROUND**

- 2.1 Andrew Murray has been licensed to drive a taxi since 4 October 1999.
- 2.2 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 be attached to the standard conditions for Taxi and Private Hire Car drivers.

**3. DISCUSSION**

- 3.1 Andrew Murray, the holder of Taxi Drivers Licence Number EA/TD 417, has been invited to attend three Disability Awareness Training courses since his licence was granted.
- 3.2 The Licensee has 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 his licence.

**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 applicant has 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, Andrew Murray has 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 Taxi Driver's Licence EA/TD 417, and if so determined, to invite the Licensee and the Chief Constable to attend a Hearing on the matter .

William Stafford  
**Director of Community Services**  
10 October 2000

WS/GS/LAF

### **LIST OF BACKGROUND PAPERS**

1. Licensing file No EA/TD 417.
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](mailto:john.crawford@east-ayrshire.gov.uk).

**AGENDA**