

EAST AYRSHIRE COUNCIL

**LOCAL GOVERNMENT LICENSING PANEL
20 MARCH 2002**

**CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO
EA/TD 260 – JAMES MCGHEE**

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 260 by way of a Hearing.

2. BACKGROUND

- 2.1 The Licensing Sub-Committee of the Community Services Committee, at the meeting held on 13 January 1999, agreed that all licensed Taxi and Private Hire Car Drivers must undertake an 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.
- 2.2 James McGhee was originally granted a licence to drive a taxi on 11 June 1992. This licence was subsequently renewed and his current licence was granted on 13 August 2001, valid until 10 June 2004.
- 2.3 The licence holder has been given a number of opportunities to complete the approved Disability Awareness training course but has failed to attend.
- 2.4 Details of the courses to which the licence holder has been invited are contained in the memorandum dated 19 February 2002, a copy of which is attached at Appendix 1.
- 2.5 Failure to undertake the approved Disability Awareness training course is a breach of Condition 19 attached to Taxi and Private Hire Car Driver's Licences.

3. DISCUSSION

- 3.1 The licence holder has been invited to attend the meeting today and has been provided with a copy of this report.
- 3.2 To date, no response has been received from the licence holder.
- 3.3 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 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.

5.3 In terms of the above paragraph, the licence holder has been invited to attend the meeting today and has been provided with a copy of this report.

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 Sub-Committee consider the Suspension of the Taxi Driver's Licence No EA/TD 260 by way of a Hearing.

William Stafford
Director of Community Services

WS/GS

26 February 2002

LIST OF BACKGROUND PAPERS

1. Licensing file No EA/TD 260.

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