

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 426
- JAMES HUME**

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 426.

2. BACKGROUND

- 2.1 James Hume has been licensed to drive a taxi since 1 November 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 James Hume, the holder of Taxi Drivers Licence Number EA/TD 426 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, James Hume 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 426, 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 426.
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.

AGENDA