

**EAST AYRSHIRE COUNCIL**

**LOCAL GOVERNMENT LICENSING PANEL  
31 OCTOBER 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 Panel to consider suspension of Taxi Driver's Licence Number EA/TD 256 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 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.
- 2.2 Andrew Withers has been licensed to drive a taxi since 7 May 1992 and his current licence was renewed on 9 April 2001, valid until 6 May 2004.
- 2.3 The licence holder has been given three opportunities to complete the approved Disability Awareness training course but has failed to attend. He was invited to attend the courses held on 18 April, 27 June and 8 August 2001
- 2.4 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.

## **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 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 256 by way of a Hearing.

William Stafford  
**Director of Community Services**

WS/GS

4 October 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](mailto:john.crawford@east-ayrshire.gov.uk).

**AGENDA**