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**Report to Regulatory Committee**

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**Date of Meeting: 20 February 2018**

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**Subject: Application for the Renewal of Taxi Driver's Licence**

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**Report by: Regulatory Services Manager**

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**1.0 Purpose**

- 1.1. The Council's Scheme of Delegation allows the Head of Development and Environment Services to determine all applications for licences under the Civic Government (Scotland) Act 1982 (the "1982 Act"), except where there has been any objections or representations received from any party.
- 1.2. The Licensing Authority has received a representation from the Council's Civic Licensing Standards Officer (CLSO) to the licensing authority, therefore the Committee is asked to consider this application for the renewal of a Taxi Driver's Licence.

**2.0 Recommendations**

- 2.1. That the Committee considers all of the information provided including representations from all parties and determine the matter before them in accordance with the provisions of the 1982 Act.

**3.0 Considerations**

- 3.1. Under the terms of the 1982 Act the applicant has applied for the renewal of a Taxi Driver's Licence number [REDACTED] on 17 November 2017. As this was submitted before his Taxi Driver's Licence expired he is entitled to drive until his application has been determined. A copy of the application is provided as a background paper and marked as Appendix 1.
- 3.2. In accordance with the 1982 Act, a copy of the application form was sent to relevant consultees for consultation. The CLSO has responded that the applicant has two road traffic offences one for driving with the incorrect class of licence, the second offence relates to a speeding offence whilst driving a licensed taxi. The first conviction dated 03 January 2016 as per applicants application relates to an offence of driving a 17 seater minibus in Alloa town centre with the incorrect driving licence, the applicant was required to hold a PCV (passenger carrying licence). The second conviction dated 12

November 2016 as per applicants application relates to an offence of driving a motor car which was licensed as a taxi in excess of the 60 miles per hour speed limit. The CLSO has added that the applicant failed to declare these convictions when he was previously licensed as a Clackmannanshire Taxi Driver to the Licensing Authority as required to do so under the conditions of his licence. A copy of the letter of representation from the CLSO is provided as a background paper marked Appendix 3.

3.3 As a result of the representation, the Council's scheme of delegation requires the matter to be referred to committee for a decision.

3.4 The Regulatory Committee are therefore asked to consider all the information before them and having done so to determine whether to (1) grant the licence subject to conditions or (2) to refuse the application.

#### 4.0 Exempt Reports

4.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

#### 5.0 Legality

5.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

5.2 The Council is required to determine licence applications as the licensing authority under the 1982 Act.

#### 6.0 Appendices

6.1 Application Form (Appendix 1)

6.2 Letter Civic Licensing Standards Officer dated 11 January 2018 (Appendix 2)

#### 7.0 Background Papers

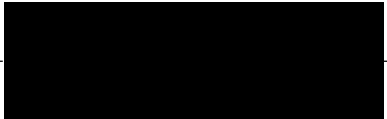
7.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

#### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
June Andison	Licensing Administrator	2093

#### Approved by

NAME	DESIGNATION	SIGNATURE
Ian Doctor	Service Manager Regulatory	
Gary Dallas	Executive Director	