

## The Highland Licensing Committee

Meeting - 4 October 2015

Agenda Item	7.2
Report No	HLC/072/16

### Application for the grant of a taxi driver's licence – Nile Catherine MacKenzie (Ward 9 – Dingwall and Seaforth)

#### Report by the Principal Solicitor - Regulatory Services

#### Summary

This Report relates to an application for the grant of a taxi driver's licence.

This item is subject to a formal hearing procedure.

#### 1.0 Background

1.1 The Highland Council has resolved that in terms of the Civic Government (Scotland) Act 1982 a licence will be required for the driving of a licensed taxi. A licence for the same is issued by the Highland Council and is valid for the whole Council area.

#### 2.0 Application

2.1 On 18 April 2016 an application for the grant of a taxi driver's licence was received from Ms Nile Catherine MacKenzie.

2.2 In terms of the abovementioned Act the Licensing Authority have six months from receipt of the application to determine the same. Therefore this application must be determined by 18 October 2016. Failure to determine the application by this time would result in the application being subject of a "deemed grant" which means that a licence would require to be issued to Ms MacKenzie for a period of 1 year.

#### 3.0 Process

3.1 Following receipt of the application a copy of the same was circulated to the following agencies/services for consultation:

- Police Scotland
- Highland Council Community Services (Trading Standards)

There have been no objections/representations received from Police Scotland or Community Services (Trading Standards).

#### 4.0 Taxi driver's knowledge test

4.1 Applicants for a taxi driver's licence are required to sit and pass a knowledge test before their licence can be issued.

**4.2** Ms MacKenzie sat her knowledge test on 24 May 2016 but failed both elements of the test. A second appointment was made for her on 9 June 2016 but Ms MacKenzie failed to turn up. Several attempts have been made to contact Ms MacKenzie by telephone, email and letter without response.

## **5.0 Policies**

**5.1** The following policies are relevant to this case:

Standard taxi driver's licence conditions. A copy of these can accessed at [http://www.highland.gov.uk/info/1125/licences\\_permits\\_and\\_permissions/302/taxi\\_licence](http://www.highland.gov.uk/info/1125/licences_permits_and_permissions/302/taxi_licence)

or a hard copy can be supplied where requested.

## **6.0 Determination of application**

**6.1** In terms of Section 5(3) of Schedule 1 of the abovementioned Act the Committee may refuse an application where it deems the applicant not to be fit and proper to hold such a licence.

## **7.0 Recommendation**

**7.1** The Committee is invited to determine the application in accordance with the Council's Hearings Procedure.

Officer Reference: Angela Mair

Date: 20 September 2016

Background Papers: Civic Government (Scotland) Act 1982

Appendices: None