

Agenda Item	8.1
Report No	HLB/047/17

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 2 August 2017

Report title: Application for the grant of a taxi driver's licence – Grzegorz M Boniek (Ward 8 – Tain and Easter Ross)

Report by: Principal Solicitor – Regulatory Services

1. **Purpose/Executive Summary**

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

2. **Recommendation**

2.1 Members are asked to determine the application.

3.0 Background

3.1 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.

4.0 Application

4.1 On 31 March 2017 an application for the grant of a taxi driver's licence was received from Mr Grzegorz M Boniek.

4.2 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 30 September 2017. 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 Mr Boniek for a period of 1 year.

5.0 Process

5.1 Following receipt of the application a copy of the same was circulated to the following Agencies/Services for consultation:

- Police Scotland
- Highland Council Trading Standards Service

5.2 Both Agencies/Services have confirmed that they have no objections to the application.

6.0 Taxi driver's knowledge test, Immigration Act 2016 check and criminal records check

6.1 Mr Boniek has sat and passed both sections of the knowledge test. He has also passed the necessary face to face check under the Immigration Act 2016.

6.2 As Mr Boniek was born outside the UK or has been resident outside the UK for 6 months or more in Poland, he is required to produce a criminal record check, obtained within the 6 months prior to submission of his application and verified by the relevant UK-based Embassy/High Commission, from that country.

6.3 As yet no criminal record check has been received from Mr Boniek. Following numerous attempts to contact him by telephone and written correspondence there has been no response from him.

6.4 The application therefore cannot be determined under delegated powers and is therefore before the Committee as this is the last meeting before the determination period expires.

7.0 Policies and conditions

7.1 The following policies are relevant to this case:

Standard taxi driver's licence conditions. A copy of these can accessed at www.highland.gov.uk/businessinformation/licensing/civicgovernmentlicensing or a hard copy can be supplied where requested.

8.0 Implications

8.1 Not applicable

Date: 10 July 2017

Author: L Gunn

Ref: SB/LG 32906

Background Papers: Civic Government (Scotland) Act 1982