

Agenda item	11.1
Report no	HLC/24/26

THE HIGHLAND COUNCIL

Committee: **Highland Licensing Committee**

Date: **24 February 2026**

Report title: **Application for the grant of a taxi driver's licence – Martin MacKinnon (Ward 21 – Fort William and Ardnamurchan)**

Report by: **The 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.

This item is subject to a formal hearing procedure

2. Recommendation

2.1 Members are asked to determine the application in accordance with the hearing procedure.

3. Background

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

4. Application

4.1 On 22 June 2025 an application for the grant of a taxi driver’s licence was received from Martin MacKinnon.

4.2 In terms of the Civic Government (Scotland) Act 1982 (the Act) the Licensing Authority have nine months from receipt of the application to determine the same, therefore this application must be determined by 21 March 2026. 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 for a period of 1 year. The application is before this Committee as this is the last meeting before the determination date expires.

5. Process

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

- Police Scotland
- Trading Standards Service

5.2 Both Agencies/Services have confirmed that they have no objections in relation to this application.

6. Taxi Driver’s Knowledge Test

6.1 Mr MacKinnon has been provided with several opportunities to arrange and undertake the taxi driver’s knowledge test.

6.2 Mr MacKinnon is permitted three attempts to sit and pass the knowledge test. However, despite the Licensing Team’s best efforts to arrange a test for him, he has not yet made an appointment.

6.3 As indicated at para. 4.2 above, the period for determining the application is due to expire shortly and therefore the application is before the Committee for determination.

7. Determining issues

7.1 Paragraph 5(3) of Schedule 1 of the Civic Government (Scotland) Act 1982 states that a licensing authority may refuse an application to grant or renew a licence where:

- a) The applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either:
 - i. for the time being disqualified under section 7(6) of the Civic Government (Scotland) Act 1982, or;
 - ii. is not a fit and proper person to be the holder of the licence.
- b) The activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such licence if he made the application himself;
- c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—
 - (i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;
 - (ii) the nature and extent of the proposed activity;
 - (iii) the kind of persons likely to be in the premises, vehicle or vessel;
 - (iv) the possibility of undue public nuisance; or
 - (iv) public order or public safety; or
- d) there is other good reason for refusing the application.

7.2 If required, the Principal Solicitor – Regulatory Services will offer particular advice on the criteria relating to this particular application.

7.3 A copy of this report has been sent to Mr MacKinnon who, in the terms of paragraph 4(2) of the Civic Government (Scotland) Act 1982, has been invited to attend and will be provided with an opportunity to be heard by the Committee.

7.4 Mr MacKinnon has also been advised of the procedure which will be followed at the meeting which may also be viewed via the following link:

[Licensing hearings procedures | Licensing hearings procedure \(Licensing Committee\) \(highland.gov.uk\)](https://highland.gov.uk/legislation/licensing/hearings_procedures/)

8. Policies

8.1 The following policies are relevant to this case:

Standard taxi driver's licence conditions. A copy of these can be accessed at https://www.highland.gov.uk/directory_record/738739/taxi_and_private_hire/category/501/taxi_and_private_hire or a hard copy can be supplied where requested.

9. Implications

9.1 Not applicable.

Date: 29 January 2026

Author: J Traynor/M MacPherson

Background Papers: Civic Government (Scotland) Act 1982