

Agenda item	7.2
Report no	HLC/75/26

**THE HIGHLAND COUNCIL**

**Committee:** THE HIGHLAND LICENSING COMMITTEE

**Date:** 23 June 2026

**Report title:** Application for the grant of a taxi driver's licence – Kenneth Roberts (Ward 15 – Inverness Ness-side)

**Report by:** The Principal Solicitor – Regulatory Services

**1. Purpose/Executive summary**

**1.1** This report relates to the 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 Council's hearings 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 18 October 2025 an application for the grant of a taxi driver's licence was received from Kenneth Roberts.

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 17 July 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 There have been no objections received in relation to the application.

### **6. Right to Work Check**

6.1 At the time of writing Mr Roberts has not yet undergone a right to work check.

### **7. Taxi driver's knowledge test**

7.1 The Highland Council's policy in respect of taxi driver knowledge tests allows an applicant up to three attempts to pass.

7.2 Mr Roberts has sat the knowledge test on one occasion. He passed the Highland section with 85% however he failed the local section with 24%.

7.3 Licensing staff have invited the applicant to attend for a re-test, however to date he has not sat this.

7.4 The application, therefore, cannot be determined under delegated powers as the applicant has not sat and passed both parts of the knowledge test or had a right to work check carried out.

### **8. Determining issues**

8.1 Paragraph 5(3) of Schedule 1 of the Act states that a licensing authority shall refuse an application to grant or renew a licence where:

- (a) the applicant or anyone else detailed on the application is not a fit and proper person;

- (b) the activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused;
- (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 shall 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 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
  - (v) public order or public safety; or
- (d) there is other good reason for refusing the application.

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

**8.2** A copy of this report has been sent to Mr Roberts who has been invited to attend and will be provided with an opportunity to be heard by the Committee. He has also been advised of the procedure which will be followed at the meeting.

## **9. Policies**

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

Standard taxi driver's licence conditions. A copy of these can be accessed at [Taxis and Private Hire Cars - Apply for a licence - Highland Council](#)

or a hard copy can be supplied where requested.

## **10. Implications**

**10.1** Not applicable.

Date: 2 June 2026

Author: Michael Elsey

Reference: Civic Government (Scotland) Act 1982