

Agenda item	6.1
Report no	HLC/85/26

THE HIGHLAND COUNCIL

Committee: **THE HIGHLAND LICENSING COMMITTEE**

Date: **11 August 2026**

Report title: **Application for the grant of a taxi driver's licence – Hiwa Saed (Ward 14 – Inverness Central)**

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 24 November 2025 an application for the grant of a taxi driver’s licence was received from Hiwa Saed.
- 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 23 August 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. Taxi driver’s knowledge test

- 6.1** The Highland Council’s policy in respect of taxi driver knowledge tests allows an applicant up to three attempts to pass both the Highland and Local area sections of the test.
- 6.2** The pass mark for the Highland section is 75% and the pass mark for the local area section is 85%.
- 6.3** Mr Saed has sat the knowledge test on one occasion, where he failed both the Highland section (60%) and the local section (51%).
- 6.4** Licensing staff have invited the applicant to attend for his re-test attempts, however, to date he has not attended to sit this.
- 6.5** The application, therefore, cannot be determined under delegated powers as the applicant has not sat and passed both parts of the knowledge test.

7. Determining issues

- 7.1** 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.

7.2 In addition, section 13(5) of the Act provides that a licensing authority shall require an applicant for a taxi driver's licence to take a test of his knowledge of the area to which the licence is to relate, of the layout of roads in that area and such other matters relating to the operation of a taxi as the authority consider desirable, and the authority shall refuse to grant a licence to a person who does not satisfy them that they have adequate knowledge of any of these matters.

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

7.4 A copy of this report has been sent to Mr Saed 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.

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 [Taxis and Private Hire Cars - Apply for a licence - Highland Council](#)

or a hard copy can be supplied where requested.

9. Implications

9.1 Not applicable.

Date: 21 July 2026

Author: Michael Elsey

Reference: Civic Government (Scotland) Act 1982