

Agenda item	7.2
Report no	HLC/97/26

THE HIGHLAND COUNCIL

Committee: **THE HIGHLAND LICENSING COMMITTEE**

Date: **15 September 2026**

Report title: **Application for the grant of a taxi operator's licence – Martin Clark (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 operator'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 operation 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 19 January 2026 an application for the grant of a taxi operator’s licence was received from Martin Clark.
- 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 18 October 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 inspection, meter test and documentation

- 6.1** Prior to a taxi operator’s licence being issued the vehicle must undergo an inspection, at the Council’s nominated garage, to ensure it meets the Council’s standards for a licensed vehicle.
- 6.2** A taximeter test also requires to be undertaken by the Council’s Trading Standards Service to ensure that the meter has been calibrated to the Council’s approved tariff. Once this has been verified by Trading Standards they will seal the meter to ensure that the tariff cannot be altered.
- 6.3** The operator also requires to submit a copy of their insurance, showing that they hold insurance cover for public hire, a copy of their MOT certificate and a copy of their vehicle registration document.
- 6.4** The applicant has advised the Licensing office that his vehicle is in the process of undergoing repairs and is not currently available to be inspected or meter tested. An update in relation to this can be provided to Members at the meeting.
- 6.5** In view of the above the application cannot be determined under delegated powers.

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 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 Clark 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 operator'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: 25 August 2026

Author: Michael Elsey

Reference: Civic Government (Scotland) Act 1982