

Licensing Sub-Committee of the Regulatory Committee

9.30am, Tuesday, 25 July 2023

Request for Recall of Suspension – Noor Murtaza

Item number	
Report number	B Agenda
Executive/routine	
Wards	Citywide
Council Commitments	N/A

Executive Summary

Police Scotland requested the immediate suspension of a Private Hire Driver's Licence which was implemented on 2 December 2021. On 11 January 2022 the Committee made a decision to suspend the licence. On 13 June 2023 the Sheriff disposed of the connected criminal charges, and the licence holder has now requested that the suspension should be recalled.

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Request for Recall of Suspension – Noor Murtaza

1. Recommendations

- 1.1 After hearing from the Police and the relevant licence holder, the Committee will be required to decide:
 - 1.1.1 Whether to recall the suspension or not as requested by the Licence Holder.

2. Background

- 2.1 The Police and other persons can make comments or complaints as regards the holders of licences and, in certain cases, request that the relevant licence should be suspended or revoked. Committee members can consider such comments and requests. The Committee can decide to take no further action, issue a warning to the licence holder, suspend or revoke the licence.
- 2.2 On 2 December 2021 the Council received a letter from Police Scotland requesting the immediate suspension or revocation of Mr Murtaza's licence, and immediate suspension was implemented on that day. On 11 January 2022 the Licensing Sub-Committee decided to suspend Mr Murtaza's Private Hire Driver's Licence (Appendix 1).

3. Main report

- 3.1 Police Scotland has confirmed (Appendix 2) that the criminal charges which led to the suspension of the licence have now been disposed of by the Sheriff. The licence holder has requested that his licence should now be reinstated (Appendix 3).
- 3.2 The Licence remains suspended until the committee determines to recall the suspension. If the suspension is recalled the licence would be returned and the Licensing Holder can resume use of their licence.
- 3.3 The licence holder has been invited to attend and notified of the Police letter.

4. Measures of success

- 4.1 Not relevant, as decisions on individual licences have to be considered on their own merits.

5. Financial impact

- 5.1 None, as the costs of these matters are recovered through taxi and private hire car vehicle and driver licence application fees.

6. Risk, policy, compliance and governance impact

- 6.1 The process outlined takes account of the relevant statutory provisions.
- 6.2 There is no right of appeal under the 1982 Act against a decision not to recall the suspension though the licence holder may have the option to pursue a Judicial Review.

7. Equalities impact

- 7.1 There is no equalities impact arising from the contents of this report.

8. Sustainability impact

- 8.1 There is no environmental impact arising from the contents of this report.

9. Consultation and engagement

- 9.1 None.

10. Background reading/external references

- 10.1 None

11. Appendices

- 11.1 Appendix 1 – extract from action note of Licensing Sub Committee 11 January 2022
- 11.2 Appendix 2 – letter from Police Scotland dated 28 June 2023
- 11.3 Appendix 3 – Email from Noor Murtaza dated 16 April 2023