

Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday 3 March 2025

Application for Private Hire Driver Licence – Muneeb Ur Rehman Malik

Executive/routine

Wards

All

Council Commitments

N/A

Executive Summary

- 1.1 After hearing from Council officers, the Police and the relevant licence holder, the committee will be required to decide:
 - 1.1.1 Whether the applicant is fit and proper to hold a Private Hire Driver's Licence; and thereafter
 - 1.1.2 whether to grant or refuse the licence.

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1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes the contents of this report; and
 - 1.1.2 determines the application and, if granted, attaches standard conditions to the licence.

2. Background

- 2.1 Applicants for new Private Hire Driver's Licences who have resided outwith the UK are required to provide a criminal convictions check from the relevant country and to have the criminal convictions check certified.
- 2.2 The applicant meets DVLA group 2 medical standards and has passed the foundation skills training course for hire car drivers. There is no objection from Police Scotland to the grant of this licence.
- 2.3 The applicant was born in Dubai (United Arab Emirates ('UAE')) and subsequently moved to Pakistan.
- 2.4 Council policy requires that a licence applicant produces criminal convictions checks for any periods of residence outwith the UK.

3. Main report

- 3.1 When this Private Hire Driver's Licence holder initially applied for that licence, he provided a verified Criminal Convictions Check ('CCC') with respect to the period during which he had been resident in Pakistan. When the licence became due for renewal, during administrative checks it became apparent that the applicant had also resided in UAE for a period, and thus policy required a CCC from UAE to cover that period (Appendix 2).
- 3.2 Officers state that the applicant failed to declare his period of residence in UAE when making his original application for a Private Hire Driver's Licence. It is an offence under the Civic Government (Scotland) Act 1982 for an applicant for a

licence to make a statement which they know to be false or recklessly make any statement which is false in a material particular. Failure to declare a period of residence in UEA in response to a question on the application form which asks applicants to 'List each country resided in for more than 6 months' is a false statement by omission. This matter is referred to committee as a direct alternative to a report to the Procurator Fiscal.

- 3.3 When the matter was raised with the applicant it was noted that they denied that they failed to declare their period of residence in UAE during the application process for the initial licence, and suggested that there had been miscommunication with Licensing staff in this regard. The applicant is wholly responsible for completing the application form and to sign a statement at the bottom of the form which includes a declaration that the information provided is true and accurate.
- 3.4 The application is referred to the Committee for consideration of whether or not the applicant should be considered fit and proper to be a licence holder, and as a consequence whether the licence renewal should be granted.

4 Measures of success

- 4.1 Not relevant, as decisions on individual licences must 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 licence holder has a right of appeal against any decision made. The appeal lies to the Sheriff Court.

7 Equalities impact

- 7.1 There is no equalities impact arising from the contents of this report, as decisions on individual licences have to be considered on their own merits.

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 [Production of Criminal Records and Evidence of Right to Work in the UK by Taxi and Private Hire Driver's Licence Applicants](#) to Regulatory Committee on 16 September 2016
- 10.2 [Criminal Records Checks for Taxi and Private Hire Car Driver Licence Applicants Born or who have Resided Outwith the United Kingdom](#) to Regulatory Committee on 16 September 2023

11 Appendices

- 11.1 Appendix 1 – application form
- 11.2 Appendix 2 – unverified 'Police Clearance Certificate' from UAE authorities