



For Use by Livingston CIS Payments Team

Date Lodged	Fee Paid	Receipt Number	Documents provided
			DVLA licence <input type="checkbox"/>
			Passport photograph <input type="checkbox"/>

For Use by Licensing Team

Date application complete	Date for Initial Decision	Date for Final Decision
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Applicants should start completing the form below

Please indicate which type of licence you are applying for by **ticking one of the boxes below** and make sure when submitting your application you have your DVLA driving licence showing your current address and a passport sized photo. Please read the attached guidance notes before completing your application. Incomplete applications will be returned by second class post which will delay the processing of your application.

Grant of taxi driver's licence	<input type="checkbox"/>	Grant of private hire car driver's licence	<input type="checkbox"/>	Renewal of taxi driver's licence	<input type="checkbox"/>	Renewal of private hire car driver's licence	<input type="checkbox"/>
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Question 1 – Personal Details (see guidance note 1)

First name		Middle name(s)		Surname	
Previous name(s)			Date of birth		Age
Place of birth (including town and country)		Nationality			Length of time in the UK
Address			Previous address (only to be completed if you have lived at your address for less than 3 years)		
Post code			Post code		
Time resident at current address			Time resident at previous address (only to be completed if you have lived at your address for less than 3 years)		
Home telephone number			Mobile number		
National insurance number		Email address (this will enable us to contact you urgently about your licence)			

Question 2 – Driving Licence Details (see guidance note 2)

Have you held a full driving licence issued under the Road Traffic Act 1988 for a continuous period of 12 months prior to the date of this application?	Yes No
DVLA Driver number	

Question 3 – Previous Convictions (see guidance note 3)

All crimes and offences must be declared, including any convictions which are spent in terms of the Rehabilitation of Offenders Act 1974, unless they are “protected” convictions as defined in Article 2A of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2015. Please note that this is not limited to road traffic offences or offences committed in the UK and includes fixed penalties under the Road Traffic Act 1988 which you have accepted.

Have you ever been convicted of a crime or offence or accepted a fixed penalty for a road traffic offence which is not a “protected” conviction?		Yes No
If yes please complete the details in the box below and continue on a separate sheet if required.		
If you are applying for renewal of your licence and any of your convictions or road traffic fixed penalties have occurred since your licence was granted or since the last renewal did you notify West Lothian Council of the conviction(s)? If yes please confirm the date of notification with regard to each conviction.		Yes No
Date of conviction/ fixed penalty	Court where convicted or fixed penalty paid	Offence
Sentence/penalty and date notified to WLC (if appropriate)		

Question 4 – Licence History (see guidance note 4)

Do you currently hold a taxi or private hire car driver’s licence issued by West Lothian Council?	Yes No	If yes, what is your licence number and renewal date?
Have you ever applied for, and been refused a taxi or private hire car driver’s licence by any council?	Yes No	If yes, which council refused the licence? When was it refused?
Have you ever held a licence which was suspended or revoked?	Yes No	If yes, which council suspended or revoked the licence?

Question 5 – Health (see guidance note 5)

<p>Do you suffer from or have you ever suffered from or received medical treatment in relation to any of the conditions mentioned in the next column?</p> <p>Please answer a single yes or no in the third column. You do not have to answer yes or no to each condition.</p>	<ul style="list-style-type: none"> • cardiovascular problems – including heart attack, angina, irregular heart beat; treatments such as coronary artery surgery, stents, pacemaker or defibrillator; circulatory problems such as pain in legs when walking • sudden attacks of giddiness or fainting • episodes of falling asleep without warning • sleep problems • sleep apnoea or daytime drowsiness • drug or alcohol misuse or dependency (in the past 3 years) • mental health problems – including depression, psychosis or disabling anxiety. • neurological problems – including epilepsy, seizures, fits or convulsions; loss of consciousness; been knocked unconscious in past 5 years; disease or injury of the brain such as stroke, mini-stroke, haemorrhage, tumour, head injury, multiple sclerosis, Parkinson’s disease or dementia • diabetes - any form • serious joint or muscle problems • cancer diagnosis • problems with kidneys or liver • breathing problems • difficulties with limbs or spine that might affect ability to drive • eyesight problems (other than need for spectacles, e.g. double vision, blind spots, blurring, attended eye specialist clinic or wearing glasses with correction stronger than +8 dioptries) • hearing problems 	<p>Yes No</p>
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<p>Have you ever had a conviction related to drugs or alcohol, even if the conviction is considered spent?</p>	<p>Yes No</p>
<p>Are there any other medical conditions, mental or physical likely to interfere with the discharge of your duties as a hire car driver?</p>	<p>Yes No</p>
<p>Are you currently taking or been prescribed medication from your doctor?</p>	<p>Yes No</p>

Question 6 (see guidance note 6) - Do you know the hire car licence holder or booking office system you will be working for? If yes please give details below

NAME	ADDRESS

Question 7 – Right to work in the UK (see guidance note 7)

If you are applying for grant or renewal of a taxi or PHC driver’s licence for the first time since 1 December 2016 your right to work in the UK will be checked as part of your licence application and this could include the licensing authority checking your immigration status with the Home Office. You must provide evidence of your right to work in the UK in the form of original documentation as part of the application process. Please see guidance note 7 for further information regarding this.

Do you have the right to work in the UK?	Yes No
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DECLARATION BY APPLICANT (see guidance note 8)

I confirm that I have read and understood the Council’s licensing conditions which apply to the licence I have applied for (please tick the box opposite)

I declare that the particulars given by me on this form are correct to the best of my knowledge and belief. I enclose a copy of my current DVLA driving licence. (a copy of your licence will be made when you lodge your application)

Name of Applicant	
Signature of Applicant	
Date	

Privacy Statement – Data Protection

All personal information that you supply will be used to process your application in accordance with data protection law and the Civic Government (Scotland) Act 1982.

We will share this information with the following bodies:-

- Police Scotland
- The Taxi Examination Centre operated by The City of Edinburgh Council

In addition, if you are required to attend a medical in connection with your application we will share your information with the Council’s medical advisors.

We are required by law to protect the public funds we administer. Therefore in line with the National Fraud Initiative (NFI) we may also share your information with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud.

Some of the information provided by you on this form will be held on a register which is available for inspection by members of the public.

Further information about how we handle your personal information, including how long we retain the information, information about the NFI and how you can complain about our handling of your information is available in our Privacy Notice which can be found on the Licensing Team’s webpage <https://www.westlothian.gov.uk/licensing>. A copy of our Privacy Notice is available on request by contacting the Licensing Team, email: licensing@westlothian.gov.uk, telephone: 01506 281632.

Application for grant or renewal of taxi or PHC driver's licence

Guidance notes

1. **Personal Details** - please complete all questions regarding personal details and if possible include a mobile telephone number and email address to assist us in contacting you quickly regarding your application.
2. **Driving Licence Details** - in terms of section 13(3) of the Civic Government (Scotland) Act 1982 a licensing authority cannot grant a taxi driver's licence or a private hire car driver's licence to anyone unless they have held, throughout the 12 months immediately prior to the date of their application, a licence authorising them to drive a motor car issued under Part III of the Road Traffic Act 1988 or a licence which would at the time of the application entitle them to such a licence without taking a test, not being a provisional licence.

This means that if your licence has been revoked or suspended by DVLA or you have been disqualified by a court for any period (however short) during the last 12 months you cannot apply for a licence or to renew your licence unless you have held your licence for a continuous period of 12 months prior to the date of your application. Your driving licence must contain your current address or your application will not be processed.

3. **Previous Convictions** - the attention of applicants is especially drawn to question 3 of this form regarding previous convictions. It is essential that the whole form, including question 3, is completed in full otherwise the application cannot be processed. The provisions of the Rehabilitation of Offenders Act 1974 are complex in relation to applications for taxi and private hire car driver's licences. The general position is that all convictions must be declared, even if they are otherwise "spent" for the purposes of the Rehabilitation of Offenders Act 1974, unless they are "protected" convictions. A guidance note explaining the difference between "spent" and "protected" convictions is available on the council's webpages under "what convictions must be declared?":

<https://www.westlothian.gov.uk/article/34799/Taxi-Driver-s-Licences>

<https://www.westlothian.gov.uk/article/34797/Private-Hire-Car-Driver-s-Licences>

You should seek legal advice from a licensing solicitor if you are in any way unsure what convictions to declare in your application. The council's Licensing Team can provide general guidance and information regarding the law and the council's application forms and processes but cannot provide legal advice including which convictions should or should not be declared.

If you are uncertain as to the dates or details of any of your convictions, you should contact Disclosure Scotland, PO Box No 250, Glasgow, G2 4JS (Phone: 0870 609 6006). Alternatively you can also call at any police office and pick up the appropriate Data Protection Form, requesting 'subject access' to your record.

Your application will be subject to vetting by Police Scotland; however you must still declare your relevant convictions (unspent and spent but not protected). Failure to disclose your relevant convictions will delay the processing of your application and may result in an adverse report being submitted by Police Scotland regarding your application.

4. **Licence History** - in terms of paragraph 6 of Schedule 1 to the Civic Government (Scotland) Act 1982, where a licensing authority have refused an application for the grant or renewal of a licence, they shall not, within 1 year of their refusal, entertain a subsequent application from the same applicant for the grant of the same kind of licence, unless in the council's opinion there has been, since their refusal, a material change of circumstances.
5. **Health** - in terms of section 13(4) of the Civic Government (Scotland) Act 1982, the council may at any time for the purposes of satisfying itself that an applicant or licence holder is physically fit to drive a taxi or private hire car, require an applicant or licence

holder to submit to a medical examination, by a medical practitioner arranged by the council. The council has adopted the Group 2 medical standards as applied by DLVA to bus and lorry drivers to the medical assessment of taxi and private hire car drivers. You must answer all four parts of question 5 honestly. Certain medical conditions may exclude you from driving a taxi or private hire car and you should discuss your medical history and the application of the Group 2 standards with your own GP prior to submitting your application as additional tests may require to be arranged by your doctor before you can be certified as fit to drive a hire car. It is council policy that new applicants for hire car driver's licences must be certified fit to drive a hire car for at least one year. You should therefore bring any additional information which your doctor provides to the medical examination.

Medicals will be required for all drivers over 45 and will be arranged to applicants under 45 depending on your circumstances. If you are selected for medical examination you will usually be examined every five years or more frequently as required by the Council's medical practitioner; those over 65 are examined annually. Additional medicals may be undertaken at the request of the council's medical advisors.

When a medical assessment has been arranged for you will be asked to provide an email address so we can send you confirmation of the appointment and a leaflet explaining what the assessment will entail. If you are unable to provide an email address a copy of the leaflet is available to view on the taxi driver's licence and PHC driver's licence webpages.

6. **Details of Employer or Booking Office** - if you have already agreed to work for a hire car licence holder or a booking office you should note the details at this part of the application.
7. **Right to Work in the UK** - in terms of section 13 of the Civic Government (Scotland) Act 1982 as amended by the Immigration Act 2016 the council as licensing authority is under a duty not to grant or renew a taxi or private hire car driver's licence to any person who does not have the right to work in the UK. In order to discharge this duty as part of the application process the council has to check that that you hold one of a number of documents showing that you have permission to work in the UK. This check will be made if on or after 1 December 2016 you apply for grant of a taxi or private hire car driver's licence or when you first apply to renew your licence after that date. You will be required to attend an interview and provide evidence of your right to work in the UK within 3 months of the date on which your application is made. Should you fail to do so, your application will be treated as incompetent and will not be processed further. Further information is available on the council's webpages under "will my application be subject to a right to work check?"

<https://www.westlothian.gov.uk/article/34799/Taxi-Driver-s-Licences>

<https://www.westlothian.gov.uk/article/34797/Private-Hire-Car-Driver-s-Licences>

If there are restrictions on the length of time you may work in the UK, your licence if granted will not be issued for any longer than this period. In such circumstances the check will be repeated each time you apply to renew your licence. If, during the period in which you hold your licence, you are disqualified from holding a licence due to your immigration status, your licence will cease to have effect and you must return it to the council as licensing authority, as failure to do so will constitute a criminal offence.

8. **Declaration by Applicant** - any person who in making an application for the grant of a licence, makes any statement, which he knows to be false, or recklessly makes any statement that is false in a material particular, shall be guilty of an offence and shall be liable on conviction, to a fine not exceeding £2500.

It is important that applicants for hire car licences read and understand the council's standard conditions which will be applied to their licences if granted. The licence conditions are available to view on the council's website <https://www.westlothian.gov.uk/taxi-and-private-hire-cars>. Applicants must tick the box at question 8 to confirm that they have read and understood the conditions.

Further information about taxi driver's licences

A taxi driver's licence authorises a person to drive or have charge of a taxi and also to drive or have charge of a private hire car. All first time applicants for taxi driver's licences are required to take a test of their knowledge of the West Lothian area and on receipt of your application you will be issued with a copy of the Street Map of West Lothian published by the council. Tests take place every few weeks at Edinburgh City Chambers and once vetting of the application is completed you will be contacted by the Licensing Team who will arrange this for you. The test is based on information contained in the West Lothian map published by the council.

If within the first year of a private hire car driver's licence being granted an application is made for the grant of a taxi driver's licence the fee due will be the current administration fee as noted on the list of hire car fees which can be found on the above webpages.

The knowledge test comprises four sections and has a total of 100 questions. One mark is given for each correct answer. In the first section applicants are asked to identify which towns a number of housing areas or estates are situated in. The second section requires the applicant to state the nearest main road to a number of named streets. The third section requires applicants to identify the streets in which various pubs and clubs are located. The final section asks where the nearest main road is to a number of miscellaneous premises such as businesses, health centres, schools and entertainment venues. Main roads are shown coloured brown/gold on the map. Each section accounts for roughly 25% of the total mark. The pass mark is 80%. One resit is allowed if an applicant does not achieve 80%. A copy of the current West Lothian map is issued on receipt of an application.

Applicants are allocated one hour to complete the test.

Applicants who require a reasonable adjustment in terms of the Equality Act 2010 should contact the Licensing Team in writing by email or letter prior to making arrangements to sit the test.

Further information about private hire car driver's licences

A private hire car driver can only take charge of a private hire car and cannot take charge of a taxi. There is currently no requirement for an applicant for a private hire car driver's licence to take a topographical test.

If within the first year of holding a private hire car driver's licence a licence holder wishes to apply to be a taxi driver an application should be made in the usual way but a reduced fee is payable which is the current administration fee as shown in the list of fees on the above webpages.

How do I make application for the grant of a taxi or PHC driver's Licence?

Applications for the grant of a hire car driver's licence must be submitted in person by the applicant at the payments office, Arrochar House, Almondvale Boulevard, Livingston, EH54 6QJ along with the appropriate fee, your DVLA photocard driving licence and a passport sized photograph. Alternatively if you still have the old style paper licence this should be accompanied by some form of photographic identification i.e. passport. Staff at the payments office will copy the evidence of your identity and immediately return the documentation. Please note that your DVLA driving licence must contain your current address or your application will not be processed.

How do I make application for the renewal of a taxi or PHC driver's licence?

If your application is for the renewal of an existing licence it must be submitted at the payments office, Arrochar House, Almondvale Boulevard, Livingston, EH54 6QJ but does not have to be submitted by the person named on the application form. The application must be accompanied by the appropriate fee, the DVLA photocard licence and a passport size photograph.

Please note that you are only able to continue in your activity as a licensed taxi or private hire car driver if a valid renewal application is received prior to the expiry of your current licence. If you do not make a valid application for renewal of your licence before its expiry date your licence will expire and it will be a criminal offence for you to undertake any activity as a taxi or private hire car driver, liable on summary conviction to a fine. In terms of paragraph 8(5A) of

Schedule 1 of the Civic Government (Scotland) Act 1982. Police Scotland and all booking offices are advised of all expired licences.

What if my application is late?

Once your licence has expired you can apply to renew your licence within 28 days of its expiry date. However, your application must be accompanied by a letter explaining the reasons why your application could not be submitted before the expiry of your licence. Your application will only be accepted if the council's Chief Solicitor considers that good cause for its lateness has been shown. If your application is late and is not accepted you will have the option of applying for the grant of a new taxi or private hire car driver's licence. You will have to pay an additional fee to apply for a new licence before that application can be processed.

You should note that it will be unlawful for you to undertake any activity as a taxi or private hire car driver unless and until your late application is accepted for processing or your new application has been granted.

How will my application be decided?

You will be contacted by the Licensing Team once your application has been vetted by Police Scotland to update you regarding the process of your application. Police Scotland has 28 days in which to respond to your application.

Following any required right to work check or medical, applications which do not attract any adverse comments/objections are granted by the Chief Solicitor under delegated powers.

If you do not have a right to work in the UK your application cannot be processed further.

If you require a medical and are not certified fit by the council's medical advisors your application will require to be refused by the Chief Solicitor using her delegated powers. You will be able to reapply for another licence after a year has passed after the refusal or sooner if there is a material change in your circumstances.

All other applications where adverse comments/objections are received require to be referred to the Licensing Committee for determination. You will be advised if your application is being referred to the Licensing Committee. The Committee meets on a monthly basis.

We have nine months in which to determine your application however the majority of applications are determined within 60 days.

If you have applied for the grant of a licence you will be contacted once your licence has been granted to make arrangements for you to collect the licence and ID badge and sign for your conditions. You will require to produce evidence of your identity before you can collect and sign for the documentation. If you have applied to renew your licence once your licence has been granted your licence and ID badge will be posted to you.

What happens if my application is refused or withdrawn?

In the event of an application being refused or withdrawn after being processed, no refund of the fee will be made.

Where can I find information about how much an application costs?

When you are making application at Arrochar House a member of the payments team will be able to tell you how much the fee is, alternatively you can find the information from the Council's webpages;

<https://www.westlothian.gov.uk/article/34799/Taxi-Driver-s-Licences>

<https://www.westlothian.gov.uk/article/34797/Private-Hire-Car-Driver-s-Licences>