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| Revised March 2023 | CIVIC GOVERNMENT (SCOTLAND) ACT 1982 SECTION 10 APPLICATION FOR THE GRANT OR RENEWAL  OF A TAXI OR PRIVATE HIRE CAR LICENCE (INDIVIDUAL) |

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| --- | --- | --- |
| **Date Lodged** | **Fee Paid** | **Receipt Number** |

|  |  |  |
| --- | --- | --- |
| Date for Initial Decision | Date for Final Decision | Decision |

Different forms should be completed depending on whether the application is being made in the name of a business or an individual, once you have read the guidance notes you can start completing the form. The Licensing Team are able to provide general guidance but cannot assist you to complete your application form or provide legal advice on whether a licence is required. You should seek legal advice from a solicitor or advice centre if you are unsure as to whether you require a licence.

Please indicate which type of licence you are applying for by ticking one of the boxes below. Incomplete applications will be returned by second class post which will delay the processing of your application. Otherwise we will return incomplete applications sent by email by email.

It is recommended that you apply as early as possible to ensure your application can be processed in time before your licence expires.

**The recommend at least 2 weeks prior to your test date, as if you leave it too late your application may not be updated in time for your test.**

**Please note that in the event of an application being refused or withdrawn after being processed no refund of the fee will be made.**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Grant of Taxi Licence |  | Grant of Private Hire Car Licence |  | Renewal of Taxi Licence |  | Renewal of Private Hire Car Licence |  |

**Question 1 – Personal Details (see note 1)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| First name | Middle name(s) | | | Surname |
|  |  | | |  |
| Age | Date of birth | | | Place of birth |
|  |  | | |  |
| Previous name(s) | | | National insurance number | |
|  | | |  | |
| Length of time resident in the UK | | Nationality | | |
|  | |  | | |
| Permanent address | | Previous address (only to be completed if you have lived at your current address for less than 3 years) | | |
| Post code | | Post code | | |
| Time resident at current address | | E-mail address | | |
| Telephone number | | Mobile number | | |
|  | |  | | |

**Question 2 – Day to Day Manager Information (see note 2)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Does the person named in question 1 above propose to carry on the day to day management of the vehicle to which this application relates? If no please give  manager’s details below. | | | | | Yes/No (delete as appropriate) |
|  |  | | |  | |
| First name | Middle name(s) | | | Surname | |
|  |  | | |  | |
| Age | Date of birth | | | Place of birth | |
|  |  | | |  | |
| Previous name(s) | | | National insurance number | | |
|  | | |  | | |
| Length of time resident in the UK | | Nationality | | | |
|  | |  | | | |
| Permanent address | | Previous address (only to be completed if you have lived at your current address for less than 3 years) | | | |
| Post code | | Post code | | | |
| Time resident at current address | | E-mail address (this will enable us to contact you urgently about your licence) | | | |
| Telephone number | | Mobile number | | | |
|  | |  | | | |

**Question 3 – Details of Vehicle (see note 3)**

When attending for test the vehicle to be inspected must either be one noted on the Council’s approved list of taxis or if the vehicle is to be licensed as a private hire car, meet the criteria as detailed in appendix 1.

If you are an existing licence holder please complete this section in full.

|  |  |
| --- | --- |
| Registration number |  |
| Make |  |
| Model |  |
| Colour |  |
| Number of doors |  |
| Is this a different vehicle to that currently licensed (current licence holders only) | Yes/no |

|  |  |
| --- | --- |
| Number of passenger seats (for PHCs the vehicle must either have exactly four passenger seats or eight if it is a Type 2 PHC) |  |
| Address where vehicle normally kept |  |
| If applicable, the name of the booking office or phone number where bookings for this vehicle be accepted |  |

**Question 4 – Crimes, offences, fixed penalties and alternatives to prosecution (see note 4)**

All crimes and offences which are not spent in terms of the Rehabilitation of Offenders Act 1974 must be declared.

|  |  |  |  |
| --- | --- | --- | --- |
| Has anyone named in this application been convicted of any crime or offence or accepted a fixed penalty or alternative to prosecution (ATP)? Subject to the Rehabilitation of Offenders Act 1974, all unspent crimes and  offences and ATPs must be declared. | | | Yes/No |
| If you have answered yes to the above question please complete the details in the box below in relation to each person indicating which person the conviction relates to and continue on a separate sheet if required | | | |
| Date of conviction/ fixed penalty or ATP | Court where convicted or fixed penalty paid | Offence | Sentence/penalty |
|  |  |  |  |

**Question 5 – Licence History (see note 5)**

|  |  |
| --- | --- |
| Do you currently hold a taxi or private hire car licence issued by West Lothian Council? | Yes/No |
| If yes, what is the licence number and renewal date? |  |
| Has anyone named in this application ever applied for, and been refused a taxi or private hire car licence by any council? | Yes/No |
| If yes, which council refused the licence? |  |
| When was it refused? |  |
| Has anyone named in this application ever held a licence which was suspended or revoked? | Yes/No |
| If yes, which council suspended or revoked the licence? |  |
| When was it suspended or revoked? |  |

**Question 6 – Declaration by applicant or day to day manager (see note 6)**

By signing this application I confirm that I have read and understood the Council’s licensing conditions which apply to the licence I have applied for.

**\* if sending your application by email please just print your name to sign the form**

|  |  |  |
| --- | --- | --- |
| Date | \*Name of Applicant |  |
|  | Signature of Applicant |  |
| Date | \*Name of Day to Day Manager |  |
|  | Signature of Day to Day Manager |  |

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

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: [licensingservices@westlothian.gov.uk](mailto:licensingservices@westlothian.gov.uk), telephone: 01506 281632.

**Notes in Relation to the Completion of the Application Form for the Grant or Renewal of a Taxi or Private Hire Car Licence**

1. **Personal Details** - please complete all questions regarding personal details and include an email address in order that we can contact you urgently about your licence. Email addresses do not appear on the public register.
2. **Day to Day Manager Details** - if the answer is yes to question 2 the details of the day to day manager must be detailed here. Please complete all questions regarding personal details and where possible include an email address and the day to day manager is also able to submit the application.
3. **Details of Vehicle** - prior to making an application you must ensure that your vehicle meets the Councils current standard of fitness. Appendix 1 to this application gives details of approved vehicles suitable to be licensed as a taxi and gives details of the criteria that apply to private hire cars.

You can also find further information in relation to vehicles in the Hire Car Conditions on the Councils webpages, for taxis these are contained in Schedule A and for private hire cars these are contained in Schedule B. Further information can be found on the Councils webpages <https://www.westlothian.gov.uk/taxi-and-private-hire-cars>

If you wish to apply to licence a vehicle which does not comply with any of the conditions of fitness you must include with your application a letter explaining which of the conditions of fitness you would wish varied and why. The Licensing Team will send a copy of your application to the Taxi Examination Centre for comments. This will delay the processing of your application and your application is likely to have to be referred to the Licensing Committee for a decision to be taken as to whether the vehicle can be licensed.

Unless you have successfully applied to vary some of the conditions of fitness if you attend for test and your vehicle does not meet these conditions the test will either be stopped or will not take place. This could lead to a delay in your vehicle being licensed or to your application being refused.

When presenting your vehicle for examination you will be required to produce to the Taxi Examination Centre (TEC) the following documents:

* + vehicle registration document for your vehicle (which **must** be in the name and address of the applicant)
  + a certificate of insurance in relation to the vehicle as required by Part VI of the Road Traffic Act 1988 (**must** be in the name and address of the applicant and **must** provide cover for the use of a taxi/private hire car to carry passengers for hire and reward)
  + your emailed receipt issued by the Council in payment of the application fee
  + previous certificate of compliance (for renewal applications only)

You must also ensure that if required your vehicle meets the maximum CO2 emission levels as detailed in the hire car conditions, the information is usually noted on the V5 for the vehicle. If the emission level is not noted on the V5 you must produce written evidence from the manufacturer or dealer that the vehicle meets the maximum emission level before your vehicle can be tested.

1. **Previous Convictions** - the attention of applicants is especially drawn to Question 4 of this form. It is essential that the whole form, including this question is completed in full, otherwise the application form cannot be processed. Only convictions which are not spent in terms of the Rehabilitation of Offenders Act 1974 must be declared. You may wish to seek legal advice before completing this form from a solicitor or the Citizen’s Advice Bureau.
2. **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.
3. **Declaration** - the applicant or day to day manager may **\***sign this application. 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, which 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 are reminded that on signing the form that they are confirming that they have read and understood the Council’s licensing conditions which apply to the licence they have applied for.

**\* if sending your application by email please just print your name to sign the form**

**How do I submit applications for a new or renewal of a taxi or PHC licence?**

Applications may be lodged in two ways -

**By email:** You should check that the form has been fully completed and email it along with any supporting documentation to [licensingservices@westlothian.gov.uk](mailto:licensingservices@westlothian.gov.uk) You will receive an emailed acknowledgement if it has been successfully delivered. Once your form and documents have been checked by the Licensing Team you will be emailed with information about how to make an online payment of the fee. Details of fees are available at the bottom of the webpage for each licensing scheme.

**By post:** You should check the form has been fully completed and post it along with any supporting documentation and a cheque for the fee to the Licensing Team, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston EH54 6FF. Details of fees are available at the bottom of the webpage for each licensing scheme. Alternatively, you are able to post the form and once that has been checked a note of the fee and a link to allow a card payment can be emailed to you and copies of any supporting documents can also be received by email.

**Please note that applications cannot be submitted at the Civic Centre or at Arrochar House or other Council offices**

**Appendix 1**

**Taxis**

A taxi licence is required for the operation of a vehicle as a hire car which is engaged, by arrangements made in a public place between the person to be conveyed in it (or a person acting on his behalf) and its driver for a journey beginning there and then. Taxis can be hailed in the street, pre- booked by phone or pick up passengers at a taxi stance (rank).

The approved vehicles are as follows;

* Peugeot E7 (short wheel base)
* Peugeot E7 (long body - wheelbase 3122mm body length 5135mm)
* Fiat Scudo (short and long wheelbase)
* Fiat Scudo Panel/Window Van (wheelbase 3000mm and 3122mm body length 4805mm and 5135mm)
* Fiat Scudo Panel/Window Van (manufactured before 2007 registration date)
* Fiat TW200 (short or long wheel base model only)
* Fiat Ducato 3000mm and 3450mm wheelbase panel van/window van
* Citroen Dispatch (short and long wheelbase 3000mm and 3122mm) (body length 4805mm and 5135mm)
* Citroen Dispatch Panel/Window Van (manufactured before 2007 registration date)
* Citroen Relay 3000mm and 3450 wheelbase panel van/window van
* Peugeot Expert MK 3 (short and long body) (wheelbase 3000mm and 3122 mm body length 4805mm and 5135mm)
* Peugeot Expert Classic Panel/Window Van MK2 (manufactured before 2007 registration date)
* Ford Transit (short wheel base model only)
* Vauxhall Movano and Vauxhall Vivaro (short wheel base model only)
* Volkswagen Transporter and Volkswagen Caravelle (short wheel base model only)
* Mercedes M8 (medium wheel base model only)
* Mercedes Vito 4748mm wheelbase 2148cc 116hp
* LTI TX2 M5, LTI TX2 A5, LTI TX4 M5 and LTI TX4 A5
* Renault Traffic (short wheel base model only)
* Ford ProCab
* Electric/Hybird TX (LEVC TX)

The accessibility standard requires that all taxis must have the following features installed to the satisfaction of the Cab Inspector;

* side loading access (for safety reasons all side loading vehicles must have an illuminated “doors opening” sign)
* wheelchair access by means of suitable ramps
* hi-visibility interior features (must be permanent and fixed rather than removable seat covers)
* interior grab rails
* a step (must be retractable)
* a hearing loop system
* auto door locks which operate when the vehicle is moving
* be fitted with a bulkhead and tip up seats

Please see the Schedule A of the Licensing Conditions for Taxis, Private Hire Cars, Taxi Drivers and Private Hire Car Drivers for further information on conditions of fitness for taxis.

**Private Hire Cars (PHCs)**

A private hire car is defined in Section 23 of the Civic Government (Act) 1982 as a motor vehicle with a driver (other than a public service vehicle) which is available for hire by the public for profit which is not a taxi within the definition of Section 23. A private hire car must be pre-booked and must not use a taxi stance (rank) and must not be hailed in the street. A private hire car licence is required for the operation of a private hire car.

The criteria for private hire cars in West Lothian are as follows;

* Type 1 PHC - a saloon or saloon derivative vehicle (such as an estate model based on a saloon vehicle); or
* Type 2 PHC - a vehicle fitted with a passenger lift which is based on a different model of vehicle from those vehicle types listed on the approved list for taxis

and must comply with the following specification;

* have a minimum of four doors;
* have exactly four passenger seats if it is a saloon vehicle, or eight passenger seats if it is a Type 2 PHC;
* have a minimum back seat cushion width of 125cm;
* have a maximum CO2 emission level of 150g/km for diesel vehicles or a maximum CO2 emission level of 165g/km for petrol vehicles (with the exception of Type 2 PHCs which must have a maximum CO2 emission level of 225g/km for diesel or petrol vehicles);
* have a minimum engine size of 1400cc unless it is an electric or hybrid vehicle.
* In addition, Type 2 PHCs must comply with the following accessibility standard to the satisfaction of the Cab Inspector – they must have hi-visibility interior features, interior grab rails, a retractable step and a loop system

Please see the Schedule B of the Licensing Conditions for Taxis, Private Hire Cars, Taxi Drivers and Private Hire Car Drivers for further information on conditions of fitness for PHCs.