

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982 SECTION 10 APPLICATION
FOR THE GRANT OR RENEWAL
OF A TAXI OR PRIVATE HIRE CAR LICENCE (BUSINESS)**

For Use by Livingston CIS Payments Team

Date Lodged	Fee Paid	Receipt Number	If the application is for the grant of a licence, please give details of what evidence is attached;
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Date for Initial Decision	Date for Final Decision	Decision
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Please refer to the attached guidance notes for the purposes of completing your application. It is strongly advised that you read the guidance notes before completing this application as incomplete applications will be returned by second class post.

Please indicate which type of licence you are applying for by ticking one of the boxes below

Grant Of Taxi Licence		Grant of Private Hire Car Licence		Renewal of Taxi Licence		Renewal of Private Hire Car Licence	
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Question 1 (a) – Business details (see note 1)

Is the applicant a company or partnership? Please tick one of the boxes opposite to indicate.	<input type="checkbox"/> company <input type="checkbox"/> partnership
Company Registration Number	
Name of company/partnership	
Address of registered company office or principal office of business if you are applying as a partnership	Correspondence address if different from registered office
Telephone number	
Email address – (this will enable us to contact you urgently about your licence)	

Question 1(b) – Details of partners or directors (please continue on a separate sheet if necessary)

First name	Middle name(s)	Surname
Age	Date of birth	Place of birth
Previous name(s)		
Length of time resident in the UK	Nationality	
Permanent address	Previous address	
Post code	Post code	
Time resident at current address	E-mail address	
Telephone number	Mobile number	

First name	Middle name(s)	Surname
Age	Date of birth	Place of birth
Previous name(s)		
Length of time resident in the UK	Nationality	
Permanent address	Previous address	
Post code	Post code	
Time resident at current address	E-mail address	
Telephone number	Mobile number	

First name	Middle name(s)	Surname
Age	Date of birth	Place of birth
Previous name(s)		
Length of time resident in the UK	Nationality	
Permanent address	Previous address	
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)

Give the details of the person who proposes to carry on the day to day management of the vehicle to which this application relates?		
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	
Post code	Post code	
Time resident at current address	E-mail address (this will enable us to contact you urgently about the 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.

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 – Previous Convictions (see note 4)

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

<p>Has anyone named in this application been convicted of any crime or offence in any court which is not spent?</p> <p>If the answer is yes 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.</p>			<p>Yes No</p>
Date	Court	Offence	Sentence/penalty

Question 5 – Licence History (see note 5)

Is this a renewal application?	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 licence by any council?	Yes No
If yes, which council refused the licence and by whom was the application made?	
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 agent on behalf of business (see note 6)

I declare that the particulars given by me on this form are correct to the best of my knowledge and belief.

Date	Name of Agent	
	Signature of Agent	
	Address of Agent (if not already noted on the form)	
	Contact Details of Agent (if not already noted on the form)	

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: licensing@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

Different forms should be completed depending on whether the application is being made in the name of a business or an individual. Applicants should take care to complete the correct form fully as incomplete or old versions of the forms will not be accepted and will be returned to the applicant by second hand post for amendment leading to delays in your application being processed.

- 1. Company or Partnership Details** - please complete all questions regarding the company or partnership details and where possible include an email address in order that we can contact someone urgently about your licence. Email addresses do not appear on the public register. If the application is in a partnership name you must submit evidence of this e.g. a copy of the partnership agreement or correspondence from HMRC.
- 2. Day to day Manager Details** - the details of the day to day manager for the vehicle must be detailed here. Please complete all questions regarding their personal details and where possible include an email address. The day to day manager is also able to sign and lodge the application.
- 3. Details of Vehicle** - prior to presenting your vehicle for test you must ensure that your vehicle meets the Council's current standards 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 relation to vehicles in the Hire Car Conditions on the Council's 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 Council's 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.

- 4. 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.
- 5. 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.
- 6. Declaration** - 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.

Lodging Applications – Grant of a Licence

Applications for the grant of a new licence must be submitted by the day to day manager listed on the form in person at the Livingston CIS payments facility, Arrochar House, Almondvale Boulevard, Livingston, EH54 6QJ along with the appropriate fee.

If no adverse comments are received regarding the application to licence a vehicle contact will be made with you by the Taxi Examination Centre to arrange a test date for the vehicle to be licensed.

Lodging Applications – Renewal of a Licence

Applications for the renewal of an existing licence can be submitted by any person at the Livingston CIS payments facility, Arrochar House, Almondvale Boulevard, Livingston, EH54 6QJ along with the appropriate fee.

In terms of Paragraph 8(5) of Schedule 1 to the Civic Government (Scotland) Act 1982 if the application is received prior to the expiry of the current licence that licence continues in force until the renewal application is determined by the Council. Therefore the vehicle is able to continue operating as a hire car until the application is determined and if you are asked to produce the licence in the meantime the old licence should be produced until a new one is issued. However, you must check when the Certificate of Compliance for the vehicle expires. That date is shown on the licence plates for the vehicle. Please ensure that the vehicle passes its annual test before the certificate expires as in terms of the licence conditions a vehicle cannot operate unless it has a current certificate of compliance and licence plates. Breach of the conditions is a criminal offence.

If you fail to renew your licence before the expiry date the licence expires automatically and you cannot submit your vehicle for testing. You should contact the Licensing Team about this immediately.

If you consider that there are exceptional circumstances for not submitting your renewal application on time you may still lodge a renewal application within 28 days of the expiry date and it must be accompanied by a letter explaining the reasons why the application could not be submitted before the expiry date. The Chief Solicitor will make a decision as to whether your late application can be accepted. In exceptional circumstances late applications may be accepted if the Chief Solicitor considers that good cause is shown for the late submission of the application. Your licence remains expired until the Chief Solicitor agrees to accept the late application. If the late application is not accepted it will be returned to you and an application for the grant of a new licence could be submitted, the balance of the grant fee would have to be paid and the vehicle would not be able to operate until that new application has been determined, the vehicle is tested and issued with a Certificate of Compliance.

Fees

Details of the current licensing fees can be found on the Council's website – www.westlothian.gov.uk
Applications will not be processed unless the correct fee has been received.

Determination of Applications

In the event of an application being refused or withdrawn after being processed no refund of the fee will be made. It is essential that the whole form is completed in full otherwise the form cannot be processed.

Documents in Relation to Vehicles

When presenting your vehicle for examination you will be required to produce to the Taxi Examination Centre the following documents;

- vehicle registration document for your vehicle
- a certificate of insurance in relation to the vehicle as required by Part VI of the Road Traffic Act 1988
- your receipt issued by the Council in payment of the application fee

- previous certificate of compliance (for renewal applications only)

The vehicle registration document must be in the name and address of the applicant, or in the case of a company in the name of a director or a responsible officer of the company, and in the case of a partnership in the name of a partner.

The certificate of insurance shall be in the name and address of the applicant and shall provide cover for the use of a taxi/private hire car to carry passengers for hire and reward.

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.

When a vehicle is presented for examination at the Taxi Examination Centre with a view to the grant of a taxi/private hire car licence, the applicant shall ensure that the bodywork and passenger accommodation of the vehicle are clean and that the underside of the vehicle is free from road dirt, excess oil and grease. If the vehicle is not in a clean condition it will not be tested.

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/Hybrid 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.

All taxi and PHCs must comply with the Conditions of Fitness for hire cars contained in Schedules A and B of the conditions relating to Taxi and Private Hire Cars.