

## **CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

### **GUIDANCE NOTES**

# **LICENSING OF TAXI DRIVER'S LICENCE**

1. Ensure all questions are answered
2. The application fee (non-refundable) will be lodged along with the completed application form
3. The following documentation is to be submitted along with the completed application form:
  - One recent passport size photograph showing a true likeness
  - A valid driving licence (You must have held a full driving licence for a continuous period of one year before you can apply)
  - If you are aged 45 and over or if you have stated a medical condition, you must complete the medical consent form. If you are applying for any exemption certificates, supporting medical evidence will be required. Please note: medical examinations incur an additional cost of £55
  - From 2 October 2023, a 9-character 'tax check' code from HMRC
4. In terms of paragraph 6, Schedule 1 of the Act, where a licensing authority has refused an application, the licensing authority shall not consider within one year from the date of refusal, an application for a taxi/private hire driver's licence unless there has been a material change in their circumstances
5. No licence will be granted or renewed for taxis except in respect of vehicles which are wheelchair accessible
6. Your right to work in the UK will be checked as part of your licence application. This could include the licensing authority checking your immigration status with the Home Office. We may also share information with the Home Office.

You must either share your immigration status using the Home Office online checking service 'prove your right to work to an employer' if your status is compatible with the service or provide a document or document combination that is stipulated as being suitable for this check. Where an online check has been carried out, the 'profile' page confirming your right to work will be copied and retained by the licensing authority.

Where a manual check is carried out, and you have provided a document(s) set out at: An Employer's Guide to Right to Work Checks (Annex A) you must provide the original document(s). The document(s) will be copied, and the copy retained by the licensing authority. The original document will be returned to you. Your application will not be considered valid until all the necessary information and any original document(s) have been produced and the relevant fee has been paid.

If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances the check will be repeated each time you apply to renew or extend your licence. If, during this period, you are disqualified from holding a licence because you have not complied with the UK's immigration laws, your licence will lapse and you must return it to the licensing authority. Failure to do so is a criminal offence.

7. In the case of a married woman, provide your maiden name
8. All taxi drivers must attend a Wheelchair Training Course in the carriage of wheelchair passengers, where applicable
9. A holder of an East Lothian taxi driver's licence is permitted to drive both taxis and private hire cars
10. Part D of the application form refers to any convictions / offences. This must be completed accurately. All convictions / offences are to be declared, including those which may be spent or admonished. Failure to do so will be taken into account in determining your application. If there are no convictions / offences of any kind, enter 'None'
11. Any person who, or in connection with the making of this application, makes any statement which they know to be false, or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction
12. Information supplied on this form will be held electronically and applicants are advised that in processing this application, background enquiries will be made which may include reference to personal data held electronically

13. East Lothian Council is required by law to protect the public funds it administers. Thus, the Council may share the information you provide with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud

**Please return the application form with appropriate fee and enclosures to:**

Licensing Team  
East Lothian Council  
John Muir House, Haddington  
EH41 3HA