

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

GUIDANCE NOTES

LICENSING OF TAXI/PRIVATE HIRE CAR OPERATOR'S LICENCE

1. Ensure all questions are answered
2. Substitute licenses will expire after 28 days
3. Replacement licenses will remain in place for the remainder of the original license period
4. The application fee (non-returnable) will be lodged along with the completed application form
5. Zero Emission vehicles presented for grant of a new licence shall be no more than four years old (since date of first registration) on the date when the licence is granted.

Internal combustion Engine (ICE) vehicles presented for grant of a new licence shall be no more than three years old (since date of first registration) on the date when the licence is granted.

6. The following documentation is to be submitted along with the completed application form:
 - The registration document for the vehicle
 - The relevant insurance document
 - An MOT certificate dated not more than 30 days prior to the date on which the vehicle is to be inspected

7. In terms of paragraph 6, Schedule 1 of the Act, where a licensing authority has refused an application, the licensing authority shall not entertain within one year from the date of refusal, an application for a taxi/private hire operator's licence unless there has been a material change in their circumstances
8. Part D of the application form refers to any convictions/offences and not solely to those related to driving convictions/offences and must be completed accurately. All unspent convictions/offences are to be declared. Failure to do so may be taken into account in determining your application. If there are no convictions/offences of any kind, please enter 'None'
9. No licence will be granted or renewed on or after 1 January 2000 except in respect of vehicles which are wheelchair accessible
10. 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
11. 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
12. 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
13. 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.

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

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