

# Application for the Grant or Renewal of a Taxi and Private Hire Car Booking Office Licence

## Orkney Islands Council

### Civic Government (Scotland) Act 1982

#### Form TBO1.

Applicants **must** read the accompanying Guidance for essential information before completing this form. Answer question 1 **or** 2 and **all** other questions, continuing on separate sheet(s) if necessary. Incomplete applications cannot be accepted for processing.

|   |                  |                       |                        |
|---|------------------|-----------------------|------------------------|
| <b>1. To be completed if applicant is a person (not a company or other business entity).</b>  |                  |                       |                        |
| 1.1. Full name (Block capitals).  | <b>Surname.</b>  | <b>Forename(s).</b>   |                        |
| 1.2. Home address including post code.  |                  |                       |                        |
| 1.3. Telephone numbers (landlines for home and business and mobile).  |                  |                       |                        |
| 1.4. Email address.   |                  |                       |                        |
| 1.5. Age, date and place of birth.  | <b>Age.</b>      | <b>Date of Birth.</b> | <b>Place of Birth.</b> |
| 1.6. National Insurance number.   |                  |                       |                        |
| 1.7. Renewals Only: 9-character Tax Check Code obtained from HMRC within the last 120 days for the applicant named at Question 1.1 above (see Note L at the end of this form):  |                  |                       |                        |
| 1.8. Is the applicant to carry out the day to day management of the business?<br>If not, provide the <b>full name, address and date and place of birth</b> of any employee or agent who will manage the business. Also provide their <b>national insurance number</b> and their telephone numbers (landlines for home and business and mobile) and email address. | <b>Yes / No.</b> |                       |                        |

|   |  |
|---|--|
| Continue on a separate sheet if necessary.  |  |
| 1.9. Renewals Only: 9-character Tax Check Code obtained from HMRC within the last 120 days for the employee or agent who will manage the business as declared at Question 1.8 above (see Note L at the end of this form):   |  |
| <b>2. To be completed if applicant is a company or other business entity.</b>   |  |
| 2.1. Full name of business (Block capitals).  |  |
| 2.2. Address of principal or registered office of business, including post code.  |  |
| 2.3. Telephone numbers for business (landline and mobile).  |  |
| 2.4. Email address for business.  |  |
| 2.5. <b>Full names, private addresses and dates and places of birth</b> of all directors, partners or other persons responsible for the management of the business. Also provide their <b>national insurance numbers</b> and their telephone numbers (landlines for home and business and mobile) and email addresses. Continue on a separate sheet if necessary. |  |
| 2.6. <b>Full name, address and date and place of birth</b> of employee or agent to carry on day-to-day management of the business. Also provide their <b>national insurance number</b> and their telephone numbers (landlines for home and business and mobile) and email address. Continue on a separate sheet if necessary.                                     |  |

|  |                         |                        |
|--|-------------------------|------------------------|
| <p>2.7. Renewals Only: 9-character Tax Check Codes obtained from HMRC within the last 120 days for all directors, partners or other persons responsible for the management of the business as declared at Questions 2.5 and 2.6 above (see Note L at the end of this form):</p>  | <p>Name:</p>            | <p>Tax Check Code:</p> |
| <p><b>Remaining questions must be completed by ALL applicants.</b></p>   |                         |                        |
| <p>3. Name of the business and address of the premises for which a licence is required, including post code.<br/><b>A layout plan of the premises must be submitted with the application.</b></p>  |                         |                        |
| <p>4. State the number of vehicles for which bookings will be taken at the premises:</p>   |                         |                        |
| <p>Taxis:</p>  |                         |                        |
| <p>Private hire cars:</p>  |                         |                        |
| <p>5. Will any incoming calls be diverted from the premises to a mobile telephone or other electronic communications device outside the premises?<br/>If Yes, provide details. Continue on a separate sheet if necessary.</p>  | <p><b>Yes / No.</b></p> |                        |
| <p>6. Does the applicant have a detailed written policy for dealing with complaints from members of the public?<br/>If Yes, submit a copy with this application.</p>   | <p><b>Yes / No.</b></p> |                        |
| <p>7. Specify details of the applicant's public liability insurance for the premises (including name of insurance company, policy number, amount and extent of cover) in force or proposed. The amount of cover should not be less than £5 million.<br/><b>The Council will require sight of the Policy prior to issuing any licence. A copy of the Policy should be submitted as part of the application.</b></p> |                         |                        |

|   |                   |                 |
|---|-------------------|-----------------|
| <b>8. Right to Work</b>   |                   |                 |
| 8.1. Does every person named on this application form have a right to work in the UK?   | <b>Yes / No.</b>  |                 |
| <p>Any person named on this application form in any capacity must provide evidence of their right to work in the UK for the following:</p> <ul style="list-style-type: none"> <li>• A booking office licence for the first time.</li> <li>• On being named for the first time on a booking office licence application form, including for renewal of licence.</li> <li>• On being named on a booking office licence application form, whether for grant or renewal, where they have immigration restrictions on their right to work.</li> </ul> <p>Details of the prescribed evidence documents required are shown in Annex A at the end of this form and at the end of the accompanying Guidance.</p>  |                   |                 |
| <b>9. Resident Outwith the UK</b>   |                   |                 |
| 9.1. Has any person named on this application form been resident outwith the UK for any period of at least 6 months? (This includes if persons were born outwith the UK.)   | <b>Yes / No.</b>  |                 |
| <p>For applicants seeking a new licence, and who were born or have been resident outside the UK for 6 months or more, there must be produced with the application form documentation in relation to criminal record checks. "Applicants" means any person named on this form. If applicants were born outwith the UK, they must provide a criminal record check from their country of origin. They must also provide a criminal record check from any other country in which they have been resident for 6 months or more.</p> <p>If applicants were born in the UK, but have lived in any other countries for 6 months or more, they must provide a criminal record check from those countries.</p> <p>In all cases, the criminal record checks provided must have been obtained within the 6 months prior to submitting the application and must be verified by the relevant UK based Embassy or High Commission where the checks were obtained from authorities outwith the UK.</p> <p>If any person named on this application form has answered 'Yes', please provide details of all the countries and periods of residence on the next page (continue on a separate sheet if necessary).</p> |                   |                 |
| <b>Country of Residence:</b>  | <b>Date From:</b> | <b>Date To:</b> |
|   |                   |                 |

## 10. Previous Convictions

10.1. Subject to the provisions of the Rehabilitation of Offenders Act 1974, has any party named on this application form ever been convicted of any crime or offence? (Continue on separate sheet(s) if necessary). Please read the guidance notes accompanying this form before completing this section. Regardless of whether the application is for a new licence or to renew a current licence, this question must be answered. **If any party, including any company or other business entity, named on this application form is stating that they have no convictions to declare, the names of the company or other business entity, as well as all individuals, must be printed below, followed by the answer "None". All names must be accounted for. The question cannot be left blank in relation to any party.**

| Date. | Court. | Offence. | Sentence. |
|-------|--------|----------|-----------|
|       |        |          |           |

## 11. Whether Application for Grant or Renewal of Licence and Duration

|  |                     |  |
|--|---------------------|--|
| 11.1. Is the application for Grant or Renewal of licence? (Tick the relevant box). | Grant of licence.   |  |
|  | Renewal of licence. |  |
| 11.2. What length of licence is being applied for?                                 | One year.           |  |
|  | Three years.        |  |

## 12. Previous Licence

|   |           |
|---|-----------|
| 12.1. Have any persons named on this application form previously held or currently hold a Taxi/Private Hire Car Booking Office Licence? | Yes / No. |
| 12.2. If yes, when was the licence granted?   |           |
| 12.3. When did / does it expire?  |           |
| 12.4. Which Authority granted the licence?  |           |
| 12.5. Have any persons named on this application form ever applied for and been refused a Taxi/Private Hire Car Booking Office Licence? | Yes / No. |
| 12.6. If yes, when did the refusal occur?   |           |
| 12.7. Which Authority refused the licence?  |           |

| <b>13. Checklist</b>  |                  |
|---|------------------|
| I/We confirm that I/We have enclosed the following (circle Yes or No as appropriate):   |                  |
| <ul style="list-style-type: none"> <li>The relevant application fee as published as a Related Download at <a href="https://www.orkney.gov.uk/Service-Directory/L/Licences_2.htm">https://www.orkney.gov.uk/Service-Directory/L/Licences_2.htm</a>.</li> </ul> | <b>Yes / No.</b> |
| <ul style="list-style-type: none"> <li>A plan of the premises, no larger than A3, drawn to scale, showing details of their layout.</li> </ul>   | <b>Yes / No.</b> |
| <ul style="list-style-type: none"> <li>A copy of the applicant's public liability insurance policy for the premises.</li> </ul>   | <b>Yes / No.</b> |
| <ul style="list-style-type: none"> <li>A copy of the applicant's policy for dealing with complaints.</li> </ul>   | <b>Yes / No.</b> |
| <ul style="list-style-type: none"> <li>Evidence of right to work in the UK for all persons named on this form, where necessary (refer to question 4 above, Annex A at the end of this form and the accompanying Guidance).</li> </ul>                         | <b>Yes / No.</b> |
| <ul style="list-style-type: none"> <li>Criminal Record Check(s) for all persons named on this form, where necessary (refer to question 9 above and the accompanying Guidance).</li> </ul>   | <b>Yes / No.</b> |
| <ul style="list-style-type: none"> <li>Verifications from Embassies for all persons named on this form, where necessary (refer to question 9 above and the accompanying Guidance).</li> </ul>   | <b>Yes / No.</b> |

### **Declarations by Applicant:**

**A.** I/We declare that I/We shall, for a period of 21 days commencing with the date hereof, display at or near the premises, so that it can conveniently be read by the public, a notice complying with the requirements of paragraph 2(3) of Schedule 1 of the Civic Government (Scotland) Act 1982.

**OR.**

**B.** I/We declare that I/We are unable to display a notice of this application at or near the premises because I/We have no rights of access or other rights enabling me/us to do so, but I/We have taken the following steps to acquire the necessary rights, namely: (specify steps taken) but have been unable to acquire those rights.

**Delete (A) or (B) as appropriate.** Where declaration (A) is made, there must be produced as soon as possible after the 21 days a Certificate that the Applicant has displayed the Notice.

**C.** I/We declare that the particulars given by me/us on this form are correct to the best of my/our knowledge and belief.

**D.** I/We confirm that the documents and application fee specified in section 13 above are enclosed.

**E.** I/We confirm that I/we have read the accompanying Guidance.

**F.** I/We understand that the Authority is required to collect the information supplied by me/us as detailed in this form in terms of legislation to enable it to make decisions on applications.

**G.** I/We understand that the information supplied by me/us as detailed in this form may be held and used by the Authority for the purpose of Licensing and that information may be disclosed to Police Scotland and other relevant parties for vetting and background enquiries whilst processing and determining the application.

**H.** I/We understand that the Authority is under a duty to protect the public funds it administers and to this end may use the information I/we have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

**I.** I/We understand that in accordance with the Immigration Act 2016 my/our right to work in the UK will be checked as part of my/our licence application and this could include the licensing authority checking my/our immigration status with the Home Office. I/we must therefore provide a document or document combination that is stipulated as being suitable for this check. The list of documents is set out in Annex A at the end of this form and in the accompanying Guidance published at <https://www.orkney.gov.uk/Service-Directory/T/Taxi-and-Private-Hire-Booking-Offices.htm>. I/we must provide the original document(s), such as a passport or biometric residence permit as indicated in the published guidance, so that the check can take place. The document will be checked in my/our presence. The document(s) will be copied and the copy retained by the licensing authority. The original document will be returned to me/us. My/our application will not be considered valid until all the necessary information and original document(s) have been produced and the relevant fee has been paid.

**J.** I/we also understand that if there are restrictions on the length of time I/we may work in the UK, any licence will not be issued for any longer than this period. In such circumstances the check will be repeated each time I/we apply to renew or extend my/our licence. If, during this period, I/we am/are disqualified from holding a licence because I/we have not complied with the UK's immigration laws, my/our licence will cease to have effect and I/we must return it to the licensing authority. I/we understand that failure to do so is a criminal offence. I/we understand that the licensing authority may share data concerning my immigration status with the Home Office.

**K.** I/we confirm that if I am / we are applicant(s) for a Taxi/Private Hire Car Booking Office licence:

- for the first time or
- my/our previous booking office licence has not been valid for a year or more,

I am / we are aware:

- that Schedule 23 to the Finance Act 2011 (Data Gathering Powers) and Schedule 36 to the Finance Act 2008 (Information and Inspection Powers), grant HMRC powers to obtain relevant information from third parties. This includes licensing bodies being required to provide information about licence applicants. AND
- of the content of HMRC guidance relating to my / our tax registration obligations.

**L.** I/we understand that “Renewals” for the purposes of the HMRC Tax Check Code means applicants for a booking office licence:

- who currently hold a valid booking office licence;
- who previously held a booking office licence, that ceased to be valid less than a year ago; or
- who hold a booking office licence with another licensing authority.

**M.** I/we understand that applicants for a booking office licence who previously held a booking office licence, that ceased to be valid less than a year ago, but longer than 28 days ago, will provide HMRC Tax Check Codes at sections 1.7, 1.9 or 2.7 of this form, as appropriate, and will answer “Grant” at section 11.1 of this form.

|   |  |
|---|--|
| Signature of Applicant (one person, where Question 1 of the form has been completed).   |  |
| Date:   |  |
| Signature of any Day to Day Manager named at Question 1.8 on the form.  |  |
| Date:   |  |
| If the applicant is a company or other business entity, all directors, partners or other persons responsible for the management of the business, as named at Question 2 on the form, must sign as below. Continue on a separate sheet if necessary. |  |
| Name and Position of Person 1.  |  |
| Signature:  |  |
| Date:   |  |
| Name and Position of Person 2.  |  |
| Signature:  |  |
| Date:   |  |
| Name and Position of Person 3.  |  |
| Signature:  |  |
| Date:   |  |

**Any person who in, 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, to a fine.**

Convictions must be declared, subject to the Rehabilitation of Offenders Act 1974. This legislation is available at [www.legislation.gov.uk](http://www.legislation.gov.uk). If you are in any doubt as to whether you require to declare convictions, you must obtain independent legal advice. If you wish to declare that you have no convictions, you must write “None” at question 10 above. You cannot leave the question blank. With reference to the above paragraph, remember that if you do not declare something which you should have declared, you may be prosecuted for failure to declare and this will affect the processing time and procedure for your application.

To be lodged with the Licensing Team, Legal and Governance, Strategy, Performance and Business Solutions, Orkney Islands Council, Council Offices, Kirkwall, KW15 1NY, together with the appropriate fee and documentation.

|                   |  |
|-------------------|--|
| For Official Use. |  |
| Date Received.    |  |
| Fee Paid £.       |  |
| Expiring.         |  |

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Updated: 2018-05-25.

Updated: 2021-07-21 Section 8 and Annex A.

Updated: 2021-10-21 Section 8 and Annex A.

Updated: 2023-10-02 Sections 1.7, 1.9 and 2.7 and Declarations K, L and M.

## Annex A

### Home Office – lists of acceptable documents for right to a licence checks.

The lists of documents are based on those prescribed to show evidence of a right to work.

| <b>List A: No restrictions on right to work in the UK. The necessary check will be undertaken once and the Council will keep a copy of the relevant documentation. There will be no need to repeat the check when the person subsequently applies to renew their licence.</b> |  |
|---|--|
| 1.  | A passport (current or expired) showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.  |
| 2.  | A passport or passport card (current or expired) showing that the holder is a national of the Republic of Ireland.   |
| 3.  | A current document issued by the Home Office to a family member of an EEA (European Economic Area) or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom indefinitely.  |
| 4.  | A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules. |
| 5.  | A current Biometric Immigration Document (biometric residence permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK.   |
| 6.  | A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.   |
| 7.  | A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.                                       |
| 8.  | A birth or adoption certificate issued in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.  |
| 9.  | A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.   |

|   |  |
|---|--|
| 10.   | A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.  |
| <b>List B: Restrictions on right to work in the UK. The licence may be issued (subject to statutory limitations) up to the expiry date of the permission to work in the UK. The applicant's immigration status will need to be checked each time they apply to renew or extend their licence.</b> |  |
| <b>List B Group 1: documents where a time-limited statutory right to work / hold a licence lasts until the expiry date of leave:</b>  |  |
| 1.  | A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.  |
| 2.  | A current Biometric Immigration Document (biometric residence permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.  |
| 3.  | A current document issued by the Home Office to a family member of an EEA or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom for a time-limited period and to do the type of work in question.   |
| 4.  | A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Status, Verification, Enquiries & Checking (SVEC) service, showing that the holder has been granted limited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules. |
| 5.  | A frontier worker permit issued under regulation 8 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020.  |
| 6.  | A current immigration status document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.  |
| <b>List B Group 2: documents where a time-limited statutory right to work / hold a licence lasts for six months:</b>  |  |
| 1.  | A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme) on or before 30 June 2021 together with a Positive Verification Notice from the Status, Verification, Enquiries & Checking (SVEC) service.  |

|    |  |
|----|--|
| 2. | A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 together with a Positive Verification Notice from the SVEC service. |
| 3. | An application registration card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the SVEC service.  |
| 4. | A Positive Verification Notice issued by the SVEC service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.   |
| 5. | A Certificate of Application (digital or non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the SVEC service.                          |

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