

# Application for the Grant or Renewal of a Taxi Driver's Licence or Private Hire Car Driver's Licence

## Orkney Islands Council

Civic Government (Scotland) Act 1982

Applicants **must** read the accompanying Guidance for essential information before completing this form. Answer **all** questions, continuing on a separate sheet if necessary. Incomplete applications cannot be accepted for processing.

| <b>1. Personal Details</b>  |                  |                       |                        |
|---|------------------|-----------------------|------------------------|
| 1.1. Full name (Block capitals).  | <b>Surname.</b>  | <b>Forename(s).</b>   |                        |
| 1.2. Home address.  |                  |                       |                        |
| 1.3. Telephone number.  |                  |                       |                        |
| 1.4. Mobile telephone number.   |                  |                       |                        |
| 1.5. Email address.   |                  |                       |                        |
| 1.6. Age, date and place of birth.  | <b>Age.</b>      | <b>Date of Birth.</b> | <b>Place of Birth.</b> |
| 1.7. National Insurance number.   |                  |                       |                        |
| 1.8. Renewals Only: 9-character Tax Check Code obtained from HMRC within the last 120 days (see Note J at the end of this form):  |                  |                       |                        |
| <b>2. Current Driving Licence</b>   |                  |                       |                        |
| 2.1. Have you held a full driver's licence issued under the Road Traffic Act 1988 or a licence which would entitle you to such, without taking a test, for the period of 12 months immediately prior to the date of this application? | <b>Yes / No.</b> |                       |                        |
| 2.2. State your Drivers Licence number.   |                  |                       |                        |

|   |                  |
|---|------------------|
| 2.3. How long have you been driving motor vehicles?   |                  |
| 2.4. Name and address of the operator whose vehicle you will drive.   |                  |
| <b>3. Fitness to Drive</b>  |                  |
| 3.1. Do you suffer from any physical or mental condition that affects your fitness as a driver or which would do so in the future?  | <b>Yes / No.</b> |
| 3.2. If YES please provide details (continue on a separate sheet if necessary).   |                  |
| <b>4. Right to Work</b>   |                  |
| 4.1. Do you have a right to work in the UK?   | <b>Yes / No.</b> |
| <ul style="list-style-type: none"> <li>• Everyone who applies for a taxi or private hire car driver's licence for the first time and</li> <li>• Every applicant, whether for grant or renewal of a licence, who has immigration restrictions on their right to work</li> </ul> <p>Must provide evidence that they have the right to work in the UK.<br/>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>5. Resident Outwith the UK</b>   |                  |
| 5.1. Have you been resident outwith the UK for any period of at least 6 months? (This includes if you 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.</p> <p>If you were born outwith the UK you must provide a criminal record check from your country of origin. You must also provide a criminal record check from any other country in which you have been resident for 6 months or more.</p> <p>If you were born in the UK, but have lived in any other countries for 6 months or more, you 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 you have 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> |
|                              |                   |                 |

## 6. Previous Convictions

6.1. Subject to the provisions of the Rehabilitation of Offenders Act 1974, have you ever been convicted of any crime or offence?

Regardless of whether you are applying for a new licence or are renewing your current licence, you must answer this question.

You must declare convictions (this means any driving licence endorsements, including road traffic or other fixed penalties, as well as any other type of offence), subject to the Rehabilitation of Offenders Act 1974, as amended by the current applicable Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Orders. 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 the question below. You cannot leave the question blank. If you do not declare something which should have been declared, you may be prosecuted for failure to declare and this will affect the processing time and procedure for your application.

| <b>Date.</b> | <b>Court.</b> | <b>Offence.</b> | <b>Sentence.</b> |
|--------------|---------------|-----------------|------------------|
|              |               |                 |                  |

## 7. Type of Licence

|  |   |  |
|--|---|--|
| 7.1. What type of licence are you applying for? (Tick the relevant box next to your choice). | <b>Taxi Driver Grant.</b>               |  |
|  | <b>Taxi Driver Renewal.</b>             |  |
|  | <b>Private Hire Car Driver Grant.</b>   |  |
|  | <b>Private Hire Car Driver Renewal.</b> |  |
| 7.2. What length of licence are you applying for?  | <b>One year.</b>                        |  |
|  | <b>Three years.</b>                     |  |

| <b>8. Previous Licence</b>  |                  |
|---|------------------|
| 8.1. Have you held or do you currently hold a Taxi Driver's Licence or Private Hire Car Driver's Licence?   | <b>Yes / No.</b> |
| 8.2. If yes, when was the licence granted and is it a Taxi Driver or a Private Hire Car Driver's Licence?   |                  |
| 8.3. When did / does it expire?   |                  |
| 8.4. Which Authority granted the licence?   |                  |
| 8.5. Have you ever applied for and been refused a Taxi or Private Hire Car Driver's Licence?  | <b>Yes / No.</b> |
| 8.6. If yes, when were you refused?   |                  |
| 8.7. Which Authority refused the licence?   |                  |
| <b>9. Checklist</b>   |                  |
| I confirm that I have enclosed the following (circle Yes or No as appropriate):   |                  |
| • My current DVLA (or equivalent) driving licence (refer to the accompanying Guidance).   | <b>Yes / No</b>  |
| • Summary of my current DVLA driving licence record or a valid Share Code (refer to the accompanying Guidance).   | <b>Yes / No</b>  |
| • 3 identical passport photos.  | <b>Yes / No</b>  |
| • The relevant application fee as published as a Related Download at <a href="http://orkney.gov.uk/our-services/law-and-licensing/licence-applications/">orkney.gov.uk/our-services/law-and-licensing/licence-applications/</a> | <b>Yes / No</b>  |
| • Evidence of right to work in the UK, where necessary (refer to question 4 above, Annex A at the end of this form and the accompanying Guidance).  | <b>Yes / No</b>  |
| • Criminal Record Check(s), where necessary (refer to question 5 above and the accompanying Guidance).  | <b>Yes / No</b>  |
| • Verifications from Embassies, where necessary (refer to question 5 above and the accompanying Guidance).  | <b>Yes / No</b>  |
| • Medical information, where necessary (refer to accompanying Guidance).  | <b>Yes / No</b>  |

## **Declarations by Applicant:**

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

**B.** I confirm that the documents and application fee specified in section 9 above are enclosed.

**C.** I confirm that I have read the accompanying Guidance.

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

**E.** I understand that the information supplied by me 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.

**F.** I understand that the Authority is under a duty to protect the public funds it administers and to this end may use the information I 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.

**G.** I understand that in accordance with the Immigration Act 2016 my right to work in the UK will be checked as part of my licence application and this could include the licensing authority checking my immigration status with the Home Office. I 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 [orkney.gov.uk/our-services/law-and-licensing/civic-government-licensing/taxis-and-private-hire-cars/taxi-and-private-hire-car-drivers/](http://orkney.gov.uk/our-services/law-and-licensing/civic-government-licensing/taxis-and-private-hire-cars/taxi-and-private-hire-car-drivers/). I 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 presence. The document(s) will be copied and the copy retained by the licensing authority. The original document will be returned to me. My 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.

**H.** I also understand that if there are restrictions on the length of time I 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 apply to renew or extend my licence. If, during this period, I am disqualified from holding a licence because I have not complied with the UK's immigration laws, my licence will cease to have effect and I must return it to the licensing authority. I understand that failure to do so is a criminal offence. I understand that the licensing authority may share data concerning my immigration status with the Home Office.

I. I confirm that if I am an applicant for a taxi or private hire car driver's licence:

- for the first time or
- my previous taxi or private hire car driver's licence has not been valid for a year or more,

I am 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 tax registration obligations.

J. I understand that “Renewals” for the purposes of the HMRC Tax Check Code means an applicant for a taxi or private hire car driver's licence:

- who currently holds a valid taxi or private hire car driver's licence;
- who previously held a taxi or private hire car driver's licence, that ceased to be valid less than a year ago; or
- who holds a taxi or private hire car driver's licence with another licensing authority.

K. I understand that an applicant for a taxi or private hire car driver's licence who previously held a taxi or private hire car driver's licence, that ceased to be valid less than a year ago, but longer than 28 days ago, will provide an HMRC Tax Check Code at section 1.8 of this form and will answer “Grant” at section 7.1 of this form.

|                                      |  |
|--------------------------------------|--|
| Signature of Applicant.              |  |
| Signature of Agent: (if applicable). |  |
| Date.                                |  |

**Any person who in, or in connection with the making of, this application makes any statement which s/he knows 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.**

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.

1 December 2016.

Updated: 2018-05-25.

Updated: 2019-07-23 Section 6.1.

Updated: 2021-07-20 Section 4 and Annex A.

Updated: 2021-10-21 Section 4 and Annex A.

Updated: 2023-10-02 Section 1.8 and Declarations I, J and K.

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

## 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.                          |

1 December 2016.

Updated: 2018-05-25.

Updated: 2019-07-23 Section 6.1.

Updated: 2021-07-20 Section 4 and Annex A.

Updated: 2021-10-21 Section 4 and Annex A.

Updated: 2023-10-02 Section 1.8 and Declarations I, J and K.