

GUIDANCE ON APPLYING FOR A TAXI DRIVER OR PRIVATE HIRE CAR LICENCE

- A Taxi Driver Licence enables the licenceholder to drive either a Falkirk Council Taxi or Private Hire Car within the Falkirk Council area. This includes any journey which starts or finishes in the Falkirk Council area.
- A Private Hire Car Driver Licence enables the licenceholder to drive a Falkirk Council Private Hire Car within the Falkirk Council area. This includes any journey which starts or finishes in the Falkirk Council area.

What is the difference between a Taxi and a Private Hire Car?

- A Taxi can be pre-booked, sit in a taxi rank, or be hailed in the street.
- A Private hire car can be pre-booked only.

What exemptions apply?

If you are operating a vehicle used for bringing passengers or goods within and taking them out of an area in respect of which the vehicle is not licensed as a taxi or a private hire car in pursuance of a contract for the hire of the vehicle made outside the area if the vehicle is not made available for hire within the area.

If you are operating a vehicle while it is being used in connection with a funeral or wedding.

If you are operating a vehicle while it is being used for carrying passengers under a contract for its exclusive hire for a period of not less than 24 hours.

How much will it cost?

The application fees for a taxi driver licence are:-

- New application £206
- Renewal application 1 year £105 or 3 years £260

Generally you won't get your money back if we have started to process your application and change your mind or if your application is refused. It is only when you are submitting a renewal application that you have the option of a 1 or 3 year application.

Who can apply?

- Anybody who has held a driving licence allowing them to drive in the UK for a continuous period 12 months prior to making application.
- Your current licence must be a DVLA issued licence showing your current address.
- Anybody who has the right to work in the UK and can demonstrate that to us.

What if I am not from the UK can I still get a licence?

Yes. Any person who has the right to work in the UK can apply but must demonstrate this in person and bring original documents as evidence of the right to work in the UK. The acceptable documents are listed in **Documents for the Right to Work in the UK**.

What if I have time-limited permission to work in the UK?

We will grant a licence for the period that you have permission to work in the UK on the condition that you meet all the other criteria. If you can show us that permission has been extended you can get your taxi driver licence extended if you come into the office with your original documents from the Home Office to show us. Also, each time you renew your licence you will need to come into the office in person.

What if I have lived outside the UK for six months or more within the last 10 years?

If you have lived outside the UK for a period of six months or more within the last 10 years or in the case of renewal since the last grant a Certificate of Good Conduct or Criminal Record Certificate from the country you resided in requires to be provided. The Criminal Record Certificate must have been obtained within the last 6 months prior to submitting the application. This is so we can make sure we have the same information about your criminal record as we have for people who have lived in the UK for 10 years. You should contact your Embassy or Consulate to find out how to do this. If the information is not in English then you will need to arrange for it to be translated. You will have to meet the cost of getting this information, along with the costs of any translation.

How do I make an application?

Your application should be made on the form that is available to download from our website or attached. You should also refer to the guidance on completing an application form for a taxi driver/private hire car driver licence. You will also need to come to the licensing office in person with the form and the original documents to show you have the right to work in the UK:-

- The application fee. This can be paid in cash, by cheque made payable to "Falkirk Council", debit/credit card or postal order.
- Evidence of right to work in the UK which are listed in Documents for the Right to Work in the UK
- Original UK driving licence in current address.
- Criminal Record Check if required.

Do I need to come to the licensing office every time I make an application?

It depends on your circumstances of your right to work in the UK.

It is the law that from the 1 December 2016 all applicants for a Taxi/Private Hire Car Driver Licence whether it be new or renewal must submit the application in person to the licensing office along with original documents of the right to work in the UK.

If you can show us that you have no restrictions for the right to work you don't need to come into the licensing office the next time you submit an application.

If you have a time-limited immigration permission to work in the UK you will need to come into the licensing office along with original documents of the right to work in the UK each time you extend or renew your licence

What happens if I have convictions or fixed penalties?

You need to tell us on the application form of **all** spent and unspent convictions, conditional offers and/or fixed penalties recorded against you **within or outwith the UK** for a new licence.

If the application is for the renewal of an existing licence you are only required to tell us of convictions or fixed penalties **within or outwith the UK** since your licence was last granted.

If you don't submit all information we will send your application form and fee back to you.

If you have a current conviction the application will automatically be determined by the Civic Licensing Committee. In the case where it is the renewal of a licence it will be convictions recorded against you since the last grant. However, we may at times consider your full record.

Do I need to pass any tests before a licence is granted?

Yes. – If it is a new application you will require to sit and pass a taxi/private hire car knowledge test and a medical examination.

Taxi/Private Hire Car Knowledge Test. - You should only submit your application when you are ready to sit the test. A date is arranged by the licensing office for the taxi knowledge test immediately after submitting the application as you have up to a maximum of 4 attempts to sit and pass this needs to be done within the 9 month determination period. Information on the test can be found in the **Taxi/Private Hire Car Knowledge Test Information document**. If you are unable to pass the Taxi/Private Hire Car Knowledge Test your application will be referred to a meeting of the Civic Licensing Committee for determination with a recommendation for refusal. **You should ensure that you study the conditions relevant to the type of licence you are applying for prior to sitting the test.**

Medical Examination – It is a requirement that you meet the DVLA Group 2 standards. The fee for the medical is included in the application. You will be given instruction by the licensing office when and how to do this. If you are not sure if you would pass the medical examination you should speak with your own doctor. If you fail the medical examination your application will be referred to a meeting of the Civic Licensing Committee for determination.

Further Medical Examinations are required at the ages of 46, 51, 56, 61 and annually thereafter. Should you reach any of the above ages during the duration of your licence you will be given instruction by the licensing office when and how to do this.

Once I submit my application what happens next?

If the application is for the renewal of an existing licence you can continue to drive as per your licence a taxi or private hire car until we make a decision on your application.

If the application is for the grant of a new licence you cannot drive a taxi or private hire car **until your application is granted.**

Process for consideration of new and renewal applications is as follows:-

- The application is sent to Police Scotland for comments and you will receive an e-mail or letter acknowledging your application. We may also pass your application and document(s) for the right to work in the UK to the Home Office to check your right to work in the UK.
- If it is found that you do not have the right to work in the UK the application will be returned to you.
- If it is found either by the Licensing Authority or Police Scotland that you have not told us all your convictions or fixed penalties the application may be returned to you.
- You are invited to sit the Taxi/Private Hire Car Knowledge Test if it is a new application.
- If you pass the Taxi/Private Hire Car Knowledge Test and no objections are received, you have no current convictions you will be instructed to go for the medical examination.
- If you pass the medical examination you will be invited to make an appointment with the Licensing Standards Officer to confirm you understand taxi driver conditions and obligations. The meeting should last no longer than 40 minutes. After the meeting you will be issued with your licence and an identify badge.

Do officers of the Council always determine applications received?

No. - Sometimes applicants have to go before a Committee known as the Civic Licensing Committee. This happens if there is a possibility of the application being refused.

The application will be determined at a meeting of the Civic Licensing Committee if:-

- if you have an unspent conviction(s);
- objections or representations are received; or
- you fail the taxi/private hire car knowledge test; or
- you fail the medical examination.

How long will it take to process my application?

We have nine months to make a final decision on your application. No decision can be made on any application until the consultation period of 28 days has passed. In practice most applications take approximately four to six weeks to process unless it has to be determined at a meeting of the Civic Licensing Committee for any of the above reasons.

The Council can make an application to the Sheriff to extend the nine month determination period if required.

What happens if my application is granted?

You will receive a letter advising of this. You are required to make an appointment to attend the Licensing Office between the hours of 9 am and 12 noon Monday to Friday. At this time you will be introduced to the Licensing Standards Officers who will ensure that you understand the requirements and conditions to be a taxi/private hire car driver. You will also be issued with an identity badge and your licence. If it is a new grant of a licence you are required to pay a fee of £5. If it is for the renewal of a licence you are required to return your old identity badge, if you have lost it you are required to pay a fee of £5.

Your licence will not be granted for a longer period than your entitlement for the right to work in the UK. If your licence is granted for a shorter period you can extend it if you bring the original documents to show your right to work in the UK has been extended.

What happens if my application is refused?

If your application is refused, you are not allowed to make another application for this type of licence for 1 year from the date of the refusal unless you can show that there has been a material change in circumstances. You are entitled to ask us within 28 days of the application being refused by the Committee to give reasons for the refusal. Within 28 days of the Committee decision you may be entitled to a right of appeal to the Falkirk Sheriff on certain grounds.