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**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

**(LICENSING OF BOOKING OFFICES) ORDER 2009**

**APPLICATION FOR GRANT OR RENEWAL OF A TAXI/PRIVATE HIRE**

**BOOKING OFFICE LICENCE**

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| All questions must be answered unless otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the applicant. It is a criminal offence to make any statement which you know to be false or recklessly to make any statement which is materially false. |
| **SECTION 1: TYPE OF LICENCE** |
| **1.1** Specify the type of licence you are applying for |
|  | Please tick one box only |
| Grant | o |
| Renewal | o |
| Material change of circumstances (to a current licence) | o |
| If the application is for a material change of circumstances, please detail clearly, the nature of the variation:-  |
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| **SECTION 2: APPLICANT/LICENCE HOLDER DETAILS**  |
| **2.1 Is the applicant:** |
|  | **Please tick one box only** |
| An individual  | o please answer questions 2.2 and 2.3 only |
| A company or other corporate body | o please answer questions 2.4 to 2.6 only  |
| A Partnership | o please answer questions 2.7 to 2.9 only (a copy of the official partnership agreement must accompany this application) |
| **All applicants must then complete all remaining sections of the form** |
| * 1. Individual applicant
 |
| Title | Surname | First Name(s)  |
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| Date of birth |  | Place of birth  |  |
| Home address (including postcode) |  |
| Contact Telephone No: | Email address: |
| Home:-Mobile:-  |  |
| **2.3** Does the applicant carry out day-to-day management of the premises? |
| Yes o  | No o (Please provide further details below of anyone responsible for the day to day management of the business) |
| Please state full name, address, date of birth and place of birth  |
| Full Name | Address | Date of Birth | Place of Birth |
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| **2.4** Company or other corporate body applicant  |
| Name of company/corporate body  |
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| Address of registered/principal office (including postcode)  |
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| Registered company number  |  |
| If the company is not on the register of companies, please confirm the legal status/entity of the company  |  |
| Contact Telephone No: | Email address |
| Office:-Mobile:-  |  |
| **2.5** Please state full name, home address, date of birth and place of birth and email address of all directors (continue on a separate sheet if necessary |
| Full Name | Home Address | Date of Birth | Place of Birth  | Email address |
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| **2.6** Please state full name, address, date of birth and place of birth of the person who will be responsible for the day-to-day management of the premises (i.e. the manager) |
| Full Name | Address | Date of Birth | Place of Birth |
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| **2.7** Name of the Partnership |
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| Registered address of Partnership (including postcode)  |
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| Contact Telephone No: | Email address: |
| Home/Office:-Mobile:-  |  |
| You **must** enclose a copy of the formal partnership agreement | Copy enclosed Yes o No o |
| **2.8** Please state full name, home address, date of birth, place of birth and email address of all partners (continue on a separate sheet if necessary |
| Full Name | Home Address | Date of Birth | Place of Birth | Email address |
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| **2.9** Please state full name, address, date of birth and place of birth of the person who will be responsible for the day-to-day management of the premises (i.e. the manager) |
| Full Name | Address | Date of Birth | Place of Birth |
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| **SECTION 3: LICENCE DETAILS**  |
| Name and address of land or building or business for which the licence is requiredPlease submit a layout plan of the premises with your application. |  |
| How many taxi vehicles will you be taking booking for from these premises? |  |
| How many private hire vehicles will you be taking booking for from these premises? |  |
| How many limousines/special event vehicles will you be taking booking for from these premises? |  |
| Will incoming calls be diverted from these premises to a mobile telephone or other electronic communications device outside these premises? If yes, please provide details  |  |
| It is strongly recommended that you have a detailed written policy for dealing with complaints from members of the public. Do you have a policy? If yes, please submit a copy with this application  |  |
| Details of Third Party Liability Policy (including name of insurance company, policy number, amount of cover and date of renewal)  |  |

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| **SECTION 4: DAYS/HOURS OF OPERATION**  |
| **Day** | **Opening Time** | **Closing Time** |
| Monday |  |  |
| Tuesday |  |  |
| Wednesday |  |  |
| Thursday |  |  |
| Friday |  |  |
| Saturday |  |  |
| Sunday |  |  |

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| **SECTION 5: RIGHT TO WORK IN THE UK**  |
| As of 1 December 2016 all Licensing Authorities within the UK:-□ Must not grant or renew a Taxi/Private Hire Car Booking Office licence to anyone who is disqualified from lawfully working by reason of their immigration status; and□ Must find out whether someone is disqualified from lawfully working by reason of their immigration status by conducting immigration checks on all applicants.The Home Office Guidance to Licensing Authorities is clear: the Licensing Authority must be satisfied by sight of the necessary documentation that the applicant is entitled to work and is therefore not disqualified from holding a Taxi/Private Hire Car Booking Office licence. If the necessary documentation is not produced your application for grant or renewal of a licence must be deemed invalid. An immigration/right to work check will be carried out soon after your application has been received, during an in-person arranged visit by you to either of the Licensing Offices:-* Kirkbank House, English Street, Dumfries, DG1 2HS;
* Council Offices, Sun Street, Stranraer.

At that time you will require to produce to Licensing Staff, original documentary proof of entitlement to work. Documentation that can be accepted is detailed within the **(see 2 attached).**  |
| **Confirm your right to work in the UK**  |
|  | *Please tick one box only* |
| Do you have the right to live in the UK and operate a taxi/private hire car booking office?  | Yes o | No o |

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| **SECTION 6: HMRC TAX CHECK**  |
| From 2 October 2023, the UK Government introduced mandatory tax checks for certain licences in Scotland including taxi/private hire car booking office licences. (**see Section 5 of the attached Guidance Notes.**Please select the statement that applies to you. |
| **Statement A** | o | I am submitting a new licence application and have not held the same licence within the last 12 months.  |
| You must read the HMRC Tax Guidance (link below), then sign the following declaration <https://www.gov.uk/guidance/confirm-your-tax-responsibilities-when-applying-for-a-taxi-private-hire-or-scrap-metal-licence> |
| I have read and understood the HMRC Tax Responsibilities and am aware of my tax obligations. I acknowledge that I will have to provide an online tax check code on any subsequent renewal applications.  |
| **Signed** | **Dated** |
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| **Statement B** | o | I am submitting a new licence application and have held the same licence within the last 12 months.  |
| Please follow the instructions below to generate a ‘Tax Check Code’a) Use your Government Gateway User ID and Password to access the HMRC Tax Check Service. If you do not have one go to GOV.UK and create a Government Gateway User ID - <https://www.gov.uk/log-in-register-hmrc-online-services> b) Complete an HMRC Tax Check, and create a 9 character Tax Check Code <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence>c) Enter your 9 character Tax check code in the boxes below: |
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| **Statement C** | o | I am not a first time applicant (renewal application)  |
| Please follow the instructions below to generate a ‘Tax Check Code’a) Use your Government Gateway User ID and Password to access the HMRC Tax Check Service. If you do not have one go to GOV.UK and create a Government Gateway User ID - <https://www.gov.uk/log-in-register-hmrc-online-services> b) Complete an HMRC Tax Check, and create a 9 character Tax Check Code <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence>c) Enter your 9 character Tax check code in the boxes below: |
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| **SECTION 7: CRIMINAL CONVICTIONS**  |
| Have you or any other person named in this application ever been convicted of any crime or offence (subject to the terms of the Rehabilitation of Offenders Act 1974)? | Yes o(please detail any convictions below – continue on a separate sheet if necessary)  | No o |
| Failure to disclose these matters is a criminal offence. If you are unsure of your convictions, a certified copy may be applied for from Police Scotland, Police Station, Loreburn Street, Dumfries (a fee may apply). |
| Date | Court | Offence | Sentence |
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| **SECTION 8: CHECKLIST AND ENCLOSURES**  |
| I confirm that I have enclosed the following: (please tick)  |
| * The relevant application fee
* £413 for the grant or renewal of a Booking Office Licence
* £124 for consent to a material change

(please note this fee is non-refundable) | o |
| * A layout plan of the premises
 | o |
| * Copy of Public Liability Insurance Certificate
 | o |
| I have read and agree to the privacy notice found at [www.dumgal.gov.uk/privacy](http://www.dumgal.gov.uk/privacy) | o |

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| **SECTION 9: DECLARATION AND SIGNATURES**  |
| I declare that * the particulars given by me on this application form are true;
* I authorise Dumfries and Galloway Council to make such enquiries with Police Scotland, Scottish Fire and Rescue Service, Environmental Health, Planning and Building Standards and other agencies as the Council considers appropriate.
* I will undertake the necessary checks to confirm my right to work in the UK (see number 4 of the guidance notes attached)

In respect of your application, you must display a site notice at or nearby the premises so that it can be conveniently read by the public beginning on the date your application is submitted and received as completed. That notice will contain such information as is required by paragraph 2(3) of Schedule 1 to the Civic Government (Scotland) Act 1982 or you must confirm that you are unable to display the notice and provide reasons below (a). As soon as possible after the notice has been displayed for the required dates, you must confirm that the notice has been displayed in accordance with the statutory requirements. There is a section within the site Notice that allows you to confirm the statutory display. FOR THE AVOIDANCE OF DOUBT, THE NOTICE DOES NOT ACCOMPANY THIS APPLICTION FORM – IT WILL BE FORWARDED TO YOU BY THE LICENSING SERVICEa) I am/we are unable to display a notice of this application at or near the premises because:-This authority is under a duty to protect the public funds it administers, and to this end may use the information you 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. For further information, see <https://www.dumgal.gov.uk/fairprocessing> |
| Signature of applicant or agent. If signing on behalf of the applicant, please state in what capacity |
| Signature |  |
| Date |  |
| Capacity |  |
| Contact Telephone number |  |
| Email |  |

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| **SECTION 10: NOTES** |
| Completed application forms should be returned to licensing@dumgal.gov.uk |
| Payment can be made by debit or credit card. You will be contacted for payment once your application has been checked and accepted as final. Please provide the most appropriate telephone number for the payment:-  |

**GUIDANCE NOTES**

1. **Insurance**

If an Application for a Taxi/Private Hire Booking Office Licence is granted, then it will be a condition of the Licence that the building or other particular activity is covered by an adequate policy of Third Party Public Liability Insurance Policy with a reputable Insurance Company. During the currency of the Licence, the holder(s) will be required to exhibit to the Council, on demand, evidence that the Policy is still in force and that the premiums have been paid. The Policy and the premium receipt(s) can accompany the completed Application. Unless these items are produced to the Licensing Office in Dumfries, no Licence can be issued.

1. **Display of Notice**

The Notice, which the Licensing Service will send to the applicant detailing the display requirements, must give the address of the land or building and state that an Application for a Taxi/Private Hire Car Booking Office Licence has been made to the Council. It must also give the Applicant’s full name and address. In the case of a Company, Firm, Public Body or Voluntary Organisation the names, and private addresses of the Directors, Partners, Committee Members or other person(s) responsible for management must be shown. If a person other than the applicant or if an employee or agent of the Company, Firm, Public Body or Voluntary Organisation is to carry on the day-to-day management of the Activity or Activities then that person’s name and address must also be shown. A copy of this Notice must be produced once the 21-day period has elapsed. If the Notice is removed, obscured or defaced during that period the certificate must state the reasonable steps taken for its protection or, if need be, its replacement. If the Council are of the opinion that the Notice does not comply with these requirements or that reasonable steps have not been taken to protect or replace the Notice the Council may require the Applicant to display the Notice again for a further period of 21 days before making a final decision on the application.

1. **Notice Unable to be Displayed.**

If the Applicant declares that the Notice cannot be displayed because he does not have such rights of access or other rights in respect of the land or building to enable this to be done then he must also declare and specify what reasonable steps have been taken without success to acquire those rights.

**4. Evidence of Right to Work in the UK**

The Licensing Authority is under a legal duty to check that an applicant for a Booking Office Licence (whether a new grant application or renewal application) is not disqualified by reason of their immigration status from lawfully holding such a licence. A licence cannot be granted until an immigration check is undertaken. Immigration checks are undertaken on all applicants.

A person is disqualified by reason of their immigration status from holding a booking office licence if the person is subject to immigration control and:

* + - * 1. the person has not been granted leave to enter or remain in the U.K, or

###### (b) the person's leave to enter or remain in the United Kingdom —

###### (i) is invalid,

###### (ii) has ceased to have effect (whether by reason of curtailment, revocation, cancellation, passage of time or otherwise), or

###### (iii) is subject to a condition preventing the person from holding a booking office

The Licensing Authority must be satisfied by sight of the necessary, original documentation that the applicant is entitled to work in the United Kingdom and is therefore not disqualified from holding a Booking Office licence. If the necessary documentation is not produced your application for grant or renewal of a licence will not be accepted.

An immigration/right to work check will be carried out soon after your application has been received, during an arranged visit by you to either of the Licensing Offices:

* Kirkbank House, English Street, Dumfries, DG1 2HS
* Council Offices, Sun Street, Stranraer, DG9 7JJ.

At that time, you will require to produce to Licensing Staff, original, documentary proof of entitlement to work in the United Kingdom. These documents will be checked in your presence, copied for our records and the originals returned to you at the visit.

Your right to work in the UK may be unrestricted or restricted. Lists A & B shown in the appendix (below) to this application, detail the documents which are accepted as proof of your right to work.

**5. HMRC Check**

From 2 October 2023, the UK Government  introduced mandatory tax checks for certain licences in Scotland as follows:

* Taxi Driver licence;
* Private Hire Car Driver licence
* Booking Office licence
* Metal Dealer
* Itinerant Metal Dealer

The new law applies to anyone in Scotland (an individual, a Company, a Partnership) applying for a licence and the law differs between those who are First Time Applicants and those who are not First Time Applicants.

1. **You are not a First Time Applicant:   you must undertake a Tax Check.  That is, you are:**
* Applying for Renewal of your licence
* Applying for the same type of licence already held by another Licensing Authority
* Applying for the same type of licence you previously held that stopped being valid less than a year ago.

In terms of the law, the Licensing Authority cannot consider an application unless it has—

* requested confirmation from HMRC that the applicant has, within the required period (i.e last 120 days), completed a tax check in relation to the authorised activity in question, and
* obtained that confirmation from HMRC.

Applicants must do the tax check themselves and will receive a 9-character code which must be given to the Licensing team along with a fully completed application. The tax check should only take a few minutes to complete and there is guidance on <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence> to help you complete the check. Anyone who needs extra support will be able to complete the tax check by phone through HMRC’s customer helpline.

HMRC have produced a tax check factsheet <https://www.gov.uk/government/publications/licence-application-tax-check-communications-resources/tax-check-factsheet> which will help you understand what is required for new or renewal applications.

For the avoidance of doubt, Dumfries and Galloway Council will not receive any of your tax information. It will only receive confirmation that you have undertaken the relevant tax check.

**2. You are a First Time Applicant:  you do NOT need to undertake a Tax Check but you must confirm that you are aware of the HMRC Guidance about your Tax Obligations.**

An application is a First Time Application if the applicant:

* Has not previously been granted a licence or
* has previously been granted a licence but no licence has been in effect in relation to the person for a year preceding the date the application is made (i.e you have been out of the ‘trade’ for more than a year).

In terms of the law, the Licensing Authority cannot consider an application until it has—

* drawn to the applicant’s attention the HMRC Guidance;
* obtained confirmation from the applicant that the applicant is aware of the contents of that Guidance and
* drawn to the applicant’s attention to the powers of officers of HMRC to obtain information from the licensing authority about the applicant arising under—

(i)  [Schedule 36](https://uk.westlaw.com/Document/ID9247B30592D11DD8DD58982B0E2B32E/View/FullText.html?originationContext=document&transitionType=DocumentItem&vr=3.0&rs=PLUK1.0&contextData=(sc.DocLink)) to [FA 2008](https://uk.westlaw.com/Document/I409219E0592D11DDA88CAD5C485467FE/View/FullText.html?originationContext=document&transitionType=DocumentItem&vr=3.0&rs=PLUK1.0&contextData=(sc.DocLink)) (information and inspection powers), and

(ii)  [Schedule 23](https://uk.westlaw.com/Document/I631ECA43B35111E080D4A193602F9A9F/View/FullText.html?originationContext=document&transitionType=DocumentItem&vr=3.0&rs=PLUK1.0&contextData=(sc.DocLink)) to [FA 2011](https://uk.westlaw.com/Document/IEB614190B35011E095DC9CC62C22CDD6/View/FullText.html?originationContext=document&transitionType=DocumentItem&vr=3.0&rs=PLUK1.0&contextData=(sc.DocLink)) (data-gathering powers).

In this regard, Schedule 23 to Finance Act 2011 (Data Gathering Powers) and Schedule 36 to 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.

You must confirm as part of your application, that you are registering for tax, have read and understood the HMRC Tax Responsibilities

<https://www.gov.uk/guidance/confirm-your-tax-responsibilities-when-applying-for-a-taxi-private-hire-or-scrap-metal-licence> and are aware of your tax obligations. The links below provide more Information about your tax registration obligations:

* [www.gov.uk/register-for-self-assessment](http://www.gov.uk/register-for-self-assessment)
* [www.gov.uk/corporation-tax](https://www.gov.uk/corporation-tax)
* [www.gov.uk/income-tax/how-you-pay-income-tax](https://www.gov.uk/income-tax/how-you-pay-income-tax)

**APPENDIX**

**List of acceptable documents – Right to Work Check**

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| **List A: No restrictions on right to work in the UK. Once you have undertaken the necessary check once, if you retained the copy, you will not have to repeat the check when they subsequently apply to renew or extend their licence.**  |
| 1. | A passport 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 national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland. |
| 3. | A Registration Certificate or Document Certifying Permanent Residence issued by theHome Office to a national of a European Economic Area country or Switzerland. |
| 4. | A Permanent Residence Card issued by the Home Office to the family member of a national a European Economic Area country or Switzerland. |
| 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. An example of an Immigration Status Document may be found at https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/441957/employers\_guide\_to\_acceptable\_right\_to\_work\_documents\_v5.pdf |
| 8. | A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder’s parents or adoptive parents (including an official extract of an entry in the register of births in Scotland in long form), **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. |

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| **List B: Restrictions on right to work in the UK. You may issue the licence (subject to statutory limitations) up to the expiry date of the permission to work in the UK. You will need to check immigration status each time they apply to renew or extend their licence.**  |
| 1. | A **current** passport endorsed to show that the holder is allowed to stay in the UK and iscurrently allowed to do the type of work in question. |
| 2. | A **current** Biometric Immigration Document (Biometric Residence Permit) issued by theHome 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** Residence Card (including an Accession Residence Card or a DerivativeResidence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.This guidance [link to page 16] provides further information on checking a non-European Economic Area national family member’s right to a licence.  |
| 4. | A **current** Immigration Status Document containing a photograph issued by the HomeOffice 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 officialdocument giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer. |
|  |
| 1. | A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of anational of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is **less than 6 months** old **together with Verification** from the Home Office Evidence and Enquiry Unit. The licence may be granted for six months from the date of the Certificate of Application. |
| 2. | A **Verification** issued by the Home Office Evidence and Enquiry Unit to you, which indicates that the named person may stay in the UK and work because they have an in time application, appeal or administrative review and which is outstanding. The licence may be issued for six months from the date of the licence decision. |