

Booking Office Licence

Why do I need a booking office licence?

A licence is required for premises whose business consists to any extent of taking bookings, by any means of communication from members of the public for the hire of a taxi or private hire vehicle.

No licence is required where the number of vehicles in respect of which bookings are taken does not at any time exceed 3 vehicles.

Checks on Entitlement to Work

Every individual/ sole trader or partnership applying for grant or renewal of a booking office licence requires to comply with the terms of new Immigration legislation from 22nd January 2018. The new requirements, as set out below, do not apply to limited companies or limited liability partnerships.

You must provide acceptable documents when first applying after that date, to prove that you are not disqualified from obtaining a licence. Acceptable documents to show a person is entitled to work are listed below. These rules apply irrespective of an applicant's nationality, ethnic or national origin or length of time living in the UK (or length of experience in the taxi or private hire trades).

If you have limited right to remain, any licence can only be issued to you until the end of that period.

You will have to make an appointment to exhibit any acceptable documents and you must attend in person to enable the correctness of your documents to be checked. Original documents must be produced for inspection. In the case of a partnership applying for the licence, every partner requires to comply with these requirements and to have their documentation checked with them personally. Copies of the documents you bring will be retained by the Council. The Council may also carry out checks with the Home Office.

The documents produced must be those shown in the lists below. List A shows documents suitable for those with indefinite right to remain. List B shows suitable documents for those with restricted right to remain. We will not accept a new application unless the correct documentation is produced.

You should note that any licence issued to you will cease to have effect if you cease to be entitled to work in the UK.

List A

No restrictions on right to work in the UK. Once the Council has undertaken the necessary check once and retained the copy, the Council may not have to repeat the check when you subsequently apply to renew or extend your 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 the Home 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.

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.

List B

Restrictions on right to work in the UK. The Council may issue the licence (subject to statutory limitations) up to the expiry date of the permission to work in the UK. The Council will need to check immigration status each time you apply to renew or extend your licence.

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** Residence Card (including an Accession Residence Card or a Derivative Residence 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.
4. 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.
5. 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 a national 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.
6. 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.

Checks on Previous Convictions

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 need to provide:

- If the applicant was born outwith the United Kingdom, a criminal record check must be provided from his or her country of origin. Applicants must also provide a criminal record check from any other country in which they have been resident for six months or more.
- If the applicant was born in the United Kingdom, but has lived in any other country or countries for six months or more, they must provide a criminal record check from those countries.
- In all cases, the criminal record checks provided must have been obtained within the six months prior to submitting the application and must be verified by the relevant UK based Embassy/High Commission where obtained from authorities outwith the United Kingdom.

We will not accept your application unless you can exhibit each of the above listed documents as appropriate. The documentation will be verified by a Customer Service Advisor and returned to you immediately.

Application Fees

Payment is due at the time of lodging. For application fees, please refer to the Civic Licensing Application Fees on our website at www.renfrewshire.gov.uk

No refund of application fees will be made for applications which are subsequently refused or withdrawn.

What documentation do I need when submitting my application for a booking office licence?

- Layout plan of the premises
- Public liability insurance
- Detailed written policy for dealing with complaints from members of the public

Display of Public Notice

The enclosed **display notice** requires to be completed and displayed at the location or premises to which the licence relates, for a period of 21 days, starting on the day the application is lodged at the licensing office. The 21 days will not commence until the application has been received at the Licensing Section and accepted as a valid application. If you are in any doubt about these dates, please email the Licensing Section on licensing.cs@renfrewshire.gov.uk or by telephone on 0300 300 0300 for clarification.

Compliance Certificate

On the reverse side of this display notice is a **certificate of compliance** which requires to be completed **after** the 21 days date and returned to the licensing office. The dates on this certificate must reflect the 21 days that the notice was displayed.

Both the **display notice** and the **certificate of compliance** must be produced at the licensing office once the 21 days date is over.

Prior Refusal

If you have applied for and been refused an application for a taxi/private hire booking office licence by Renfrewshire Council then, unless there has been a material change in circumstances, you cannot apply for the same kind of licence within one year of the date of refusal.

Processing your application

When your application is lodged and the appropriate fee has been paid, a copy of your application will be sent to Police Scotland, Scottish Fire & Rescue and various Council departments. They will carry out their own investigations and inspections and report back to the licensing office.

The legislation allows for consideration of the application within three months and a decision within six months. If an objection or representation is received in relation to your application you will be sent a copy of the letter(s) of objection or representation. Your application and the letter(s) will then be referred to a Regulatory Functions Board meeting. You will be called to a hearing before the Board and given the opportunity of addressing the Board.

Right of Appeal

If your application is refused, or granted conditionally, you are entitled to ask the Council within 21 days to give reasons for such refusal, or the imposition of such conditions, and thereafter you are entitled to appeal to the Sheriff against the decision on certain grounds.

If there is an objection to your application and the application is subsequently granted the objector can also ask the Council to give reasons for such grant and thereafter are entitled to appeal to the Sheriff also.

You may wish to seek independent legal advice in relation to any appeal.

Conditions of Licence

A copy of Renfrewshire Council's standard licence conditions for booking office licences will be issued to you in the event that your licence is granted. The Council requires all licence holders to have a thorough understanding of these conditions and these should be retained as they form part of your licence.

Renfrewshire Council may attach additional conditions to the licence as it sees fit, with each application being dealt with on its own merits.

Duration of Licence

Applications for the grant of a licence are generally granted for a period of one year, whilst applications to renew an existing licence are normally granted for a two year period.

Any Further Questions

Should you have a query that is not covered in these guidance notes please feel free to contact the licensing section for further information.

Contact Details

Tel: 0300 300 0300
E-mail: licensing.cs@renfrewshire.gov.uk
Website: www.renfrewshire.gov.uk

Or write to:

Renfrewshire Council
Licensing Section
Renfrewshire House
Cotton Street
Paisley PA1 1TT

Complete applications should be lodged at:

Renfrewshire Council,
Customer Service Centre
Renfrewshire House,
Cotton Street,
Paisley
PA1 1AN
Phone: 0300 300 0300

Opening Hours

Monday to Thursday: 8:45am to 4:45pm
Friday: 8:45am to 3:55pm

General Local Conditions

1. The Licence permits the use of the premises specified therein as a place for the carrying on of a business, which consists to any extent of the taking of bookings, by any means of communication, from members of the public for the hire of a relevant vehicle as defined in the Licence. The Licence must be exhibited in the Premises in such a place and in such a manner as to be easily read by the public. Any conditions pertaining to the Licence must be available for inspection on the premises by the Licensing Authority at all times.
2. The Licence holders or, in the absence of the Licence holders, a person authorised by them must be in charge of the premises at all times and must not be engaged in duties which might prevent the exercising of general supervision of the premises.
3. The Licence holders shall be liable for any act or omission of their employees, agents or lessees in the contravention of, or non-compliance with, any of these Conditions.
4. The Licence holders shall ensure that the Premises are covered by an adequate policy of Third Party Liability Insurance with a reputable insurance company and shall exhibit to the Council, on demand, evidence that the premiums in respect of such policy have been timeously paid.
5. The Licence holders must surrender the Licence if and when called upon to do so by the Licensing Authority for the purpose of alteration in accordance with any decision of the Licensing Authority.
6. The Licence holders shall notify the Licensing Authority in writing within 30 days of any change in the information provided in the original licence application.

Mandatory Conditions

7. The Licence holders must keep a record of every booking for the hire of a relevant vehicle taken at the relevant premises.
8. The Licence holders must keep a record of:-
 - (i) the registration number of the vehicle which was hired as a result of a booking taken at the relevant premises; and
 - (ii) the name of its driver at the time of that hire.
9. The Licence holders shall take all reasonable steps to ensure that any booking taken at the relevant premises from a member of the public for the hire of a relevant vehicle results in the hire of a vehicle which is:-

- (i) a relevant vehicle; and
- (ii) being driven by a person who holds a taxi driver's licence or a private hire car driver's licence granted under Section 13 of the Act, and that licence is in effect.

Local Conditions

10. (i) The licence holders shall ensure that the only relevant vehicles licensed by this Licensing Authority and displaying the required identification plates and signage issued by this the Licensing Authority operate from the relevant premises.
- (ii) The Licence holders shall keep on the premises a paper copy of the taxi licence or private hire car licence for each relevant vehicle fulfilling a booking taken at the relevant premises.
- (iii) The Licence holders shall keep on the premises a paper copy of the taxi driver's licence or the private hire car driver's licence for each driver of a relevant vehicle fulfilling a booking taken at the relevant premises.
- (iv) The Licence holders shall keep on the premises a paper copy of the certificate of insurance for a relevant vehicle fulfilling a booking taken at the relevant premises.
- (v) The Licence holders shall notify the Licensing Authority in writing, within 14 days of the grant or renewal of the licence, of the following information:-
- (a) the names and addresses of taxi driver's licence holders who fulfil bookings taken at the relevant premises;
 - (b) the names and addresses of private hire car driver's licence holders who fulfil bookings taken at the relevant premises; and
 - (c) the registration number of relevant vehicles which fulfil bookings taken at the relevant premises.
- (vi) The Licence holders shall notify the Licensing Authority of any change to the information provided under (iv) above as soon as is reasonably practicable after it has taken place.
11. The Licence holders shall ensure that the relevant premises are not used for any illegal or otherwise unlawful purpose.

12. The Licence holders shall ensure that the areas of the relevant premises to which the public have access are kept in a clean and tidy condition.
13. The Licence holders shall ensure that every booking for a taxi or private hire vehicle that has been accepted is fulfilled at the time and location specified, unless prevented by sufficient cause.
14. The Licence holders shall keep a record of the reasons why any bookings accepted were not fulfilled at the time and location specified.
15. The Licence holders shall produce a policy or procedure for dealing with complaints from members of the public and from persons whose bookings have not been accepted or fulfilled. The Licence holders shall ensure that all staff are aware of this policy or procedure.
16. The Licence holders shall keep a record of all complaints made and how they were dealt with.
17. The Licence holders shall not ask the driver of a taxi or private hire vehicle to do anything which would result in him/her committing a breach of the conditions attached to their licence.
18. Advertisements regarding alcoholic liquor and tobacco products, sexual services, any service considered to be illegal or immoral and anything considered to be political or religious will not be permitted on the relevant premises.
19. The records detailed in Conditions 7, 8, 14 and 16 above may be kept electronically, but the Licence holders shall ensure that there is a printed version kept within the premises at all times.
20. The Licence holders shall keep all records for a period of 3 years, which records must be made available to the Licensing Authority, an authorised officer and/or to the Police on demand.

21. Definitions

“the Act” means the Civic Government (Scotland) Act 1982;

“the Licensing Authority” means a Council constituted under Section 2 of the Local Government etc. (Scotland) Act 1994 and for the purpose of these conditions means Renfrewshire Council and any employee, officer or agent authorised to act for and on its behalf;

“the Police” means Strathclyde Police and any employee, officer or agent authorised to act for and on its behalf;

“Licence holders” means the person, persons, company, firm, public body or voluntary organisation named in the Licence;

“relevant premises” means the premises specified in the Licence;

“relevant vehicle” means a vehicle in respect of which a taxi licence or a private hire car licence has been granted in terms of Section 10 of the Act and that licence is in effect.

Display Notice

Civic Government (Scotland) Act 1982

Application for the

(insert grant or renewal)

of a

(insert type of licence applied for)

licence

I declare that an application as detailed above has been made to Renfrewshire Council. A copy of the application form lodged with Renfrewshire Council is displayed opposite.

Any objection or representation relating to the application should be made to the Renfrewshire Council, Licensing Section, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

before

(insert 28 days from the date the application is lodged with Renfrewshire Council)

Any objection or representation must be in writing and:

- must specify the ground of the objection or the nature of the representation,
- must specify the name and address of the person making it,
- must be signed by him/her or on his behalf.

Such a representation shall be considered to have been made within the period referred to if it is delivered by hand within that period or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered within that period.

It should also be noted that where an objection or representation is made to the Council after the date referred to but before a final decision is taken on the application, it is competent for the Council to entertain if it is satisfied that there is sufficient reason why the objection or representation was not made within the period of time stated.

Signed (by applicant)	PLEASE PRINT NAME:
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This site notice must be displayed for the whole of the period of 21 days at, or near, the premises so that it can be conveniently read by the public.

Certificate of Compliance

Civic Government (Scotland) Act 1982

I,

(insert name of applicant)

applicant for a

(insert type of licence applied for)

licence

hereby certify that the Notice has been posted at or near the premises at:

(insert address of premises)

from:

(insert date notice displayed)

to:

(insert 21 days date thereafter)

containing such information as is required by paragraph 2(3) of Schedule 1 to the above Act.

* Where the said Notice was removed, obscured or defaced during the abovementioned period, I took reasonable steps for its protection and replacement as follows:- (give details and circumstances)

Date:		Signature:	
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Please complete this form **after** the 21 days date and return to:-

Renfrewshire Council
Licensing Section
Renfrewshire House
Cotton Street
Paisley
PA1 1TT

* Please delete if inapplicable

