

How long have you been driving motor vehicles	
Who will you be driving for?	

ALL APPLICANTS MUST PROVIDE MEDICAL EVIDENCE OF THEIR FITNESS TO DRIVE A TAXI/PRIVATE HIRE VEHICLE (please refer to attached guidance note 3)

Are you subject to any disability or medical condition that affects your fitness as a driver or which might in the future	YES / NO	If YES, give details below
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TAX CONDITIONALITY DECLARATION (see guidance note 4)

PART 1 - For New / Grant Applicants Only - Do you hold or have you held the same type of licence with any other licensing authority in the UK within the 12 months preceding this application? **YES / NO**

If **YES**, the law requires that you complete a tax check with HMRC and you should now go to Part 2 below.

If **NO**, the law requires that you confirm that you are aware of your tax responsibilities when making an application, please continue to the next box.

Declaration of tax responsibilities

I confirm that I am aware of the content of HMRC guidance relating to my tax registration obligations. **YES / NO**

The guidance can be viewed at the following link – <https://www.gov.uk/guidance/confirm-your-tax-responsibilities-when-applying-for-a-taxi-private-hire-or-scrap-metal-licence>

See also links to HMRC guidance in Guidance Note 4

Part 2 - for Renewal Applications or Applicants who Have Answered Yes to Part 1 Above.

If you are applying to renew a licence or you currently or have held the same type of licence within the UK within the 12 months preceding this application you'll need to complete an online tax check with HMRC prior to submitting your application and provide the 9-character code. (Please see guidance note 4)

HMRC 9-character code
The code is valid for 120 days. You should be aware that failure to provide a valid code will prevent the Council from accepting and considering this application.

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<p>Have you ever applied for and been refused a taxi driver licence</p>	<p>YES / NO If YES, give details below</p> <p>Date of refusal</p> <p>Name of authority that refused the licence</p>
<p>Have you undertaken any training courses relative to taxi driver licensing</p>	<p>YES / NO If YES, give details (including course dates) below</p>

<p>Have you ever been convicted of any crime or offence? YES / NO If YES, give details below (Continue on a separate page if necessary.)</p> <p>*ALL PREVIOUS CONVICTIONS MUST BE DECLARED INCLUDING ROAD TRAFFIC OFFENCES AND ANY ACCEPTED OR OFFERED FIXED PENALTY NOTICES</p>			
Date	Court (if applicable)	Offence	Sentence

16. Declaration.

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

B. I/we understand that the information supplied by me/us as detailed in this form may be stored on a computer system by this Authority for the purpose of Licensing and that information may be disclosed to the police and other relevant parties for vetting and background enquiries whilst processing this application.

C. I/we understand that 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.scotborders.gov.uk/nationalfraudinitiative> on the Council website or contact the Fraud Hotline on 01835 826825

Signature of Applicant:	Date:
Signature of Agent: (if applicable)	Date:

Any person who in, or in connection with the making of this application makes any statement which he/ she knows to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence liable, on summary conviction, to a fine.

***PLEASE NOTE that The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003 amends The Rehabilitation of Offenders Act 1974 and requires all previous convictions to be declared in relation to this application.**

PLEASE CHECK THAT YOU HAVE ENCLOSED/INCLUDED - 4 PASSPORT SIZE PHOTOGRAPHS, YOUR DVLA DRIVING LICENCE/PHOTOCARD, A PRINTOUT OF YOUR DVLA DRIVING LICENCE SUMMARY, TAX SHARE CODE, MEDICAL CERTIFICATE (If applicable) AND

*****FOR GRANT APPLICATIONS ONLY EVIDENCE OF YOUR RIGHT TO WORK IN THE UK*****

DVLA DRIVING LICENCE SUMMARY

If you currently hold a photocard licence please submit this with the DVLA Driving Licence Summary (please follow notes below).

If you do not hold a photocard licence please submit a copy of your paper DVLA driving licence together with the Driving Licence Summary as above.

You will require to have the following information:

Driving Licence Number, National Insurance Number and the Postcode on the Driving Licence.

Go on to the DVLA website

www.viewdrivingrecord.service.gov.uk

Select **VIEW YOUR DRIVING LICENCE DETAILS** Select **START NOW**

Input Driving Licence Number Input National Insurance Number Input Postcode

Select **AGREE TO PRIVACY POLICY** Select **VIEW NOW**

Your details will now appear on a page

Along the top of the page there are boxes select **SHARE YOUR LICENCE INFO BETA**

Get A Licence Check Code

Select **GET A CODE**

Code Number Appears

Select **PRINT OR SAVE A DRIVING SUMMARY**

Select **OPEN**

You will then be taken to a page “Licence Summary” This will give the following information:

Your Name

Driving Licence Number

Licence Issue Number

Date Summary Generated

Check Code

Status

Endorsements

What Vehicles/Categories you can Drive

Please then print the page out and submit it along with your application.

Should your summary show that you have endorsements, then please also print that page as well in order that the office can see what endorsements you have.

RIGHT TO WORK IN THE UK

Additional information to be submitted with ALL Applications for GRANT of Taxi and Private Hire Driver Licences

Please note that the checking process is not required for renewal applications.

Under the provisions of the Immigration Act 2016 which came into force on **1 December 2016**, Scottish Borders Council will not be able to issue a taxi or private hire car driver licence to any person unless a check has first been made to confirm that the person is not disqualified by reason of his or her immigration status from driving a taxi or private hire car.

This will mean that all applicants for GRANT of taxi or private hire car driver licences, including UK passport holders, will need to attend their nearest licensing office in person with their original document(s) demonstrating that they have the right to work in the UK. Acceptable forms of id are as detailed below. Licensing staff will require to check the validity of the original documents in the presence of the applicant before the licence can be issued and the Council is required to retain copies.

Acceptable forms of id

- If you are a British Citizen please provide your current OR expired passport with the application. If you do not have a passport, then please provide your birth certificate along with either your National Insurance Card or most up to date P60/P45.
- If you are an EU National please provide your passport or National Identity Card with the application.
- If you are not a British Citizen or an EU National, please provide your passport and residence permit confirming your immigration status and right to work in the UK.

If you need any more information or have any questions about these requirements, please contact the Licensing Unit by telephone 01835 826699/826662 or e-mail liquorandlicensing@scotborders.gov.uk.

EVIDENCE OF MEDICAL FITNESS

Additional information to be submitted for ALL Applications for Taxi and Private Hire Driver Licences

Scottish Borders Council has adopted a policy requiring all licensed taxi and private hire drivers to provide medical evidence of their fitness to drive. The policy will be effective from 1 April 2018 and will require all new and existing applicants to submit evidence from their GP or other medically qualified professional that they meet the Group 2 standard required by DVLA.

Any costs incurred in obtaining the additional information will require to be met by the applicant and a licence will not be issued until evidence has been provided.

In the case of renewal applications, these should be submitted prior to the current expiry date in order for a licence to continue in force while the application is considered.

Subsequent applications will be subject to the following general assessment categories:

- From the age of 18 and thereafter reassessed at age 45
- From age 45 onwards reassessed on a five year basis
- From Age 65 to be reassessed on an annual basis
- In the event of a disability or medical condition which may affect an applicant's ability to drive being disclosed to the Council's Licensing Team whilst the grant of a licence is in force

If you need any more information or have any questions about the requirements, please contact the Licensing Unit by telephone 01835 826662 or e-mail liquorandlicensing@scotborders.gov.uk

TAX RELATED REQUIREMENTS

Legislative Background

From 2 October 2023 the UK Government has brought in new tax-related requirements which apply to hire car driver licences, and how that will affect your application and what information you need to provide will depend on whether you are applying for a new licence or applying to renew an existing licence.

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.

Even if you do not need to complete a tax check the Council are required to give you the following GOV.UK website addresses for HMRC guidance about tax registration obligations:

www.gov.uk/register-for-self-assessment

www.gov.uk/corporation-tax

www.gov.uk/income-tax/how-you-pay-income-tax

Information for First Time Applicants

If you are applying for a licence for the first time*, you must read the HMRC guidance on what you need to do to be properly registered for tax in the future and provide confirmation that you have done so. You can find out more on the government webpage;

<https://www.gov.uk/guidance/confirm-your-tax-responsibilities-when-applying-for-a-taxi-private-hire-or-scrap-metal-licence>

*Please note that if you are a new applicant and have held or currently hold the same type of licence anywhere in the UK within the 12 months preceding your application the law requires that you complete the tax check with HMRC referred to below that applies to renewal applications.

Information on How to Renew an Existing Licence

If you are applying to renew your existing licence you'll need to complete an online tax check with HMRC prior to submitting your application. You can find out more on the government webpage;

<https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence>

You should be aware that failure to comply with the above requirement to complete the online tax check will prevent the Council from accepting your application.

Applicants can complete the tax check through the government website link above, and to complete that you will require a Government Gateway User ID and Password. You will only need to answer a few questions to tell HMRC how you pay any tax that may be due on income you earn from your licensed trade. If you do not already have a Government Gateway account, you must sign up to get one at the start of the process for completing the online tax check and a link to allow you to do that can be found on the webpage noted above.

When you've completed the tax check, you'll get a 9-character code, tax check codes are valid for 120 days. You must note this code on your application form. We cannot proceed with your application until the tax check is completed and we have checked your code with HMRC. Please note we will not have access to information about your tax affairs.

If you are applying to renew a licence and fail to provide a valid tax check code your licence will expire on whichever of the following dates is the latest:

- 28 days after we request from you a valid tax check code
- the date your licence expires

Civic Government Licensing

PRIVACY NOTICE – PRIVATE HIRE DRIVER LICENCES

What information do we need?

Scottish Borders Council will act as the 'Data Controller' for the personal data you provide to us. The Data Protection Officer, who is responsible for ensuring personal data is managed in accordance with data protection legislation, can be contacted as follows:

Address: Data Protection Officer, Information Management, Scottish Borders Council, Newtown St Boswells TD6 0SA.

Email: dataprotection@scotborders.gov.uk

Telephone: 0300 100 1800

The information we collect from you will include details such as your name, address, e-mail address, telephone number, date and place of birth.

For the purposes of this specific service, the personal data we require includes special category information about you (also known as 'sensitive personal data'), specifically health information (disability, allergies, fitness to operate), For taxi driver or private hire driver licence applications, we ask for and hold specific information relating to medical conditions and a full group 2 medical standards certificate is required.

In addition we also require details of any previous criminal convictions and previous licence information.

Why do we need this information?

Your information is being collected to allow Scottish Borders Council to administer the process of applying for licences under the Civic Government (Scotland) Act 1982.

We need to know the personal data requested on the application form in order to provide this service to you. If you do not provide this information then we will be unable to process your request for a licence. We will not collect any personal data from you that is not needed for this purpose.

The lawful basis for collecting your information in these circumstances is:

Compliance with legal obligation:

Scottish Borders Council is required to collect your information in order to carry out the function of providing licences in relation to the Civic Government (Scotland) Act 1982, which is a statutory function of a local authority.

Where we collect special category data this processing is necessary for reasons of substantial public interest for aims that are proportionate and which contain appropriate safeguarding measures.

What will we do with your information?

We will use your information to process your application for a licence. Depending on the type of licence, this will involve sharing your information as shown in the table below.

Type of licence	Who your information will be shared with
Private Hire driver	Police Scotland

Applications where valid objections or representations are made will be considered at meetings of the Civic Government Licensing Committee, which are open to the public however some business maybe held in private. We are also required to publish information in licensing registers, which will include your name, address and type of licence. No special category data is included in the register.

When you do not provide information directly to us, we may receive it from other relevant organisations including other Council services, other Local Authorities or Police Scotland.

You should also be aware that your data will be stored on servers located within the United Kingdom. We will take all reasonable steps to ensure that your data is kept secure and more information on how we do this can be provided by contacting the Data Protection Officer.

How long will we keep your information?

We will keep your information for the length of time specified within our document retention schedules, and after this period it will be destroyed under secure arrangements More information on our retention policy and procedure can be obtained from the Data Protection Officer if required.

Automated Decision Making

No automated decision making will take place.

Your Rights

You have the right to request access to any personal data held about you by the Council. You can also request that we restrict the use of your information or even object to any further processing. You can do this by contacting the Data Protection Officer using the contact details provided above. We will respond to your request within thirty calendar days.

For more information on your rights please visit our website <http://www.scotborders.gov.uk/DPYourRights> or if you would like a hard copy of this information, please contact us using the contact details provided above.

If you are unhappy with the way the Council has processed your personal data please contact the Council's Data Protection Officer. If after raising your concerns with the Data Protection Officer you remain dissatisfied you have the right to complain to the Information Commissioner's Office.

Information Commissioner's Office

The ICO is the UK's independent body set up to uphold information rights.

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113
[Email: casework@ico.org.uk](mailto:casework@ico.org.uk)

The Information Commissioner's Office – Scotland
45 Melville Street, Edinburgh, EH3 7HL
Telephone: 0303 123 1115
[Email: Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)