

GUIDANCE ON APPLYING FOR A BOOKING OFFICE LICENCE

You will need a Booking Office Licence if you use premises located in the Falkirk Council area for the acceptance of bookings for 4 or more taxis or private hire cars.

Bookings can be made by any method of communication including phone call, e-mail or text.

When is a licence not required?

A licence is not required where less than four vehicles are involved.

How much will it cost?

The application fees for a booking office licence are:-

- New application £200
- Renewal application £200
- Variation £35

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.

Do I need to demonstrate I have the Right to Work in the UK

Yes

- If your application is submitted in the name of an individual or non-limited liability partnership the applicant and partners will be subject to a right to work in the UK check. The acceptable documents are listed in **Documents for the Right to Work in the UK**.

No

- If the individual or partners within the non-limited liability partnership have been subject to a Right to Work in the UK interview since 1 December 2016 and have demonstrated this to Falkirk Council a further interview will not be required.
- If the application is submitted by a company or limited liability partnership the requirement to demonstrate the Right to Work is not required.

What if one or more of the individuals demonstrates time-limited permission to work in the UK?

We will grant a licence for the period that the individual has 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 booking office 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 or anyone else named on the application has 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.

Who should apply?

The individual, company or organisation responsible for operating the premises where the bookings from the public for the hire of taxis and/or private hire cars should apply for a licence.

If a company or organisation applies for a licence they must provide details of an individual who will be responsible for the day to day management of the premises.

An individual applying for a licence who does not intend to be responsible for the day to day management of the premises can name another individual as their day to day manager.

How do I make an application?

Your application should be made on the form that is available to download from our website. The application form also contains information on how to complete and submit the form. You will also need to send to us the following with the form:-

- The application fee. This can be paid in cash, by cheque made payable to "Falkirk Council", debit/credit card or postal order.
- Criminal Record Check if required.
- Evidence of right to work in the UK if required. Check Documents for the Right to Work in the UK for documents required.
- Copy of partnership agreement if required.
- Location plan showing at least two named roads and surrounding buildings or the situation of the application site in relation to the locality. The application site must be clearly marked and include all to the land relating to the area to be licensed.
- Layout plan of premises to be licensed.
- Copy of policy/procedure for dealing with complaints from members of the public.

- When you submit the application the Site Notice will require to be displayed at or near the premises for a period of 21 days. Once the notice has been displayed for this period you are required to complete and submit the Certificate of Compliance. Please check with the licensing office to ensure we have your application before you display your notice.

Once I submit my application, can I operate the premises as a Booking Office.

If the application is for a new licence you cannot operate the Booking Office **until your application is granted**. If the application is for renewal of an existing licence you can continue to operate as per the last licence granted until we make a decision on your application.

What happens if I have convictions or fixed penalties?

You need to tell us on the application form of **all** 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.

Will I require any other permission or consent from Falkirk Council

It might be the case that Planning Permission or a Building Warrant may be required. Development Management and Building Standards can be contacted at Development Services, Falkirk Council, Abbotsford House, Bainsford, Falkirk, FK2 7YZ (telephone 01324 504950) or e-mail dc@falkirk.gov.uk (planning permission), building.standards@falkirk.gov.uk (building warrant).

How will my application be processed?

For new and renewal applications a 28 day consultation period begins on receipt of your application. This is when you display the Notice for a period of 21 days on or near the premises. You should check with the Licensing Unit that we have received your application before you display the notice. Thereafter, you complete the Certificate of Compliance and submit it to the Licensing Unit. Any person can object or make representation to your application at this stage.

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

- The application is sent to Police Scotland, Scottish Fire and Rescue Service, Environmental Health, Building Standards, Development Control.
- If Right to Work documents are required 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 or anyone named on the application who is being checked for the right to work in the UK and do not have this right, 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.

During the consultation period your application will be sent to the following:
Police Scotland, Scottish Fire and Rescue Service, Environmental Health, Building Standards, Development Control.

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.

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

- any person named on the application has unspent conviction(s);
- objections are received; or
- the premises don't meet the required standards.

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 and licence advising of this. Booking Office Licences are normally granted for 3 years. If the licence is granted by officers the Standard Conditions will apply. If the licence is granted by the Civic Licensing Committee it will be granted with the Standard Conditions along with any additional conditions that the Committee may apply.

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.

What happens if I want to change my existing licence?

If you want to change the day to day manager you are required to submit an application to vary your licence. If the person who is the licenceholder changes or you move to different premises a new licence will have to be applied for. The variation does not come into force until we make a decision on the variation application. You should also tell us if anyone changes their address.