

(1) Please tick as appropriate:

- Application for Grant of Licence
- Application for Renewal of Licence
- Replacement Vehicle (e.g. due to previous vehicle suffering accident damage)*
- Transfer of Ownership

(2) This form must be completed in black ink in block letters and returned with the fee of £139.00 to the Licensing Team, East Lindsey District Council, The Hub, Mareham Road, Horncastle, Lincolnshire, LN9 6PH. Cheques and postal orders should be made payable to 'East Lindsey District Council'. Please note that we no longer accept cash for the payment of licence application fees.

(3) The Licensing Team is able to provide facilities for licence payments by credit and debit cards. Further information on payment by credit or debit card is available by contacting the Licensing Team direct.

(4) The completed application form and fee must be accompanied by:

- A valid insurance certificate or cover note for public hire use.
- A valid / current vehicle test certificate issued by one of the Council's approved hackney carriage and private hire vehicle testing stations.
- A current taximeter test certificate – applications for the grant of a licence, to replace a vehicle (e.g. due to accident damage) or where a taximeter has been altered (i.e. due to a change in fare structure) or been replaced (see note 6 below).
- DVLA Vehicle Registration Certificate.

All documentation must be current and original (photocopies of documentation will not normally be accepted). Further information is available by contacting the Licensing Team.

(5) The Council's policy is that all hackney carriage vehicle licences are normally granted for a period of one year. However, licences for accident replacement vehicles, supplied by insurance companies, will normally be issued for three months only.

(6) All hackney carriage vehicles must be fitted with a working taximeter which has been set to a fare not exceeding the maximum rate set by the Council. Details of the current fare rate are available by contacting the Licensing Team. Applicants must supply a current certificate indicating that the taximeter has been calibrated and tested to the correct maximum fare structure. The certificate of authenticity must be issued by a suitably qualified person and display the following details:

- Name of vehicle proprietor
- Make and model of vehicle
- Vehicle registration number
- Make and model of taximeter
- Serial number of taximeter
- Date of issue
- Name and address of person issuing the certificate

(7) All hackney carriage vehicles must display a roof sign, which is capable of being illuminated. Such a sign must not illuminate when the taximeter is in the hired mode. The roof sign must prominently display the word 'TAXI' or 'TAXIS' to the front of the vehicle. The aforementioned lettering must be at least 1.5 inches in size and be of a neat and consistent standard. The minimum size of lettering will not relate to those vehicles, which meet the Metropolitan Conditions of Fitness (London style back cab).

(8) The Council has adopted standard licence conditions regarding advertisements and signage on hackney carriage vehicles. For further information see the guidance booklet 'A Guide for Hackney Carriage (Taxi) Drivers and Proprietors'. The booklet is available by contacting the Licensing Team.

(9) All vehicles presented for a hackney carriage vehicle licence must meet the specification and requirements set in the guidance booklet 'A Guide for Hackney Carriage (Taxi) Drivers and Proprietors'. The booklet is available by contacting the Licensing Team.

N.B Previous to 2004 the Council limited the number of hackney carriage vehicles, which should be licensed in the East Lindsey District. In September 2004 the Council removed the limit on vehicle numbers with the proviso that new licences (hackney carriage vehicle licence numbers 250 and above) would only be granted to purpose built wheelchair access/ disabled access vehicles. The relevant specification for these vehicles is shown at Appendix A of the above guidance booklet. All other hackney carriage vehicles (hackney carriage vehicle licence numbers 249 and below) are subject to the second specification shown at Appendix A of the booklet.

- (10) All vehicles will be subject to a visual inspection by a Licensing Officer before a licence can be granted. The visual inspection will cover items such as the cleanliness of the vehicle and compliance with licence conditions (further information is available from the Licensing Team). The visual inspection will normally be undertaken at the Council's Horncastle Offices when the application is made for a vehicle licence. Visual inspections will normally only take place on a Tuesday or a Thursday morning. Appointments for visual inspections should be made at least 24 hours in advance by emailing the Licensing Team.
- (11) The Council has adopted the following policy in relation to tinted windows in hackney carriage vehicles:
- Windscreens and windows to the side/rear of the driver must have a visual transmission of light of not less than 60%.
- In addition, no new or existing hackney carriage vehicle can be fitted with any form of additional film to darken or tint the glass on any part of the vehicle.

PLEASE NOTE

- It is an offence to give false information in relation to a licence application.
- You must conspicuously display the hackney carriage vehicle plate (issued by the Council) on the rear side of the vehicle. The plate must not be displayed in the rear window.
- The licence cannot be transferred to another vehicle. If you wish to change the vehicle, you must let us know and we will advise you what to do.
- If you transfer your interest in the vehicle to someone else you must tell us, in writing, within 14 days - it is an offence not to do so.

(12) Hackney Carriage Intended Use Policy

Applicants for vehicle licences will be expected to demonstrate a bona fide intention to ply for hire within the administrative area of East Lindsey District Council under the terms of the licence for which the application is being made. There will be a presumption that applicants who do not intend to a material extent to ply for hire within the administrative area of East Lindsey District Council will not be granted a hackney carriage licensing authorising them to do so.

With this in mind the Council makes the following policy statement:

"If you wish to be a hackney carriage proprietor we require information, pursuant to section 57 of the Local Government (Miscellaneous Provisions) Act 1976 as to whether you intend to use the vehicle in East Lindsey or outside of the District".

You will need to be able to show what proportion of your business you propose to carry out in East Lindsey and what business will be carried out elsewhere, including the geographical location.

If we have concerns that the hackney carriage is to be used primarily outside of this area then the decision on whether to licence you would need to be made by our General Licensing Committee (consisting of Councillors).

Each case will be decided on its merits.

This is in accordance with the decision in:

- R (App Newcastle City Council) v Berwick-upon-Tweed Borough Council [2008]

Further information on this policy is available from the Licensing Team.

(13) Designated List of Wheelchair Accessible Vehicles

If the vehicle, subject of this licence application, is a wheelchair accessible vehicle then you must note the guidance at the end of this form.

Details of Proprietor

1. Surname (MR/MRS/MISS/MS):

2. Forename(s) in full:

3. Address (include postcode):

4. Contact Details

(a) Telephone Number (Home):

(b) Telephone Number (Business):

(c) Mobile Telephone Number:

(d) Website:

(e) e-mail address:

(f) Business name:

5. Is the vehicle insured to carry passengers for public hire use?

Yes No

6. Address from where vehicle will operate (include postcode)?

7. Particulars of Vehicle

(a) Make of vehicle and model:

(b) Type of vehicle
(e.g. Saloon etc.):

(c) Registration number:

(d) Month and year
of registration:

(e) Colour:

(f) Seating capacity (excluding driver):

(g) Engine cubic capacity (cc):

(h) Number of hackney carriage plate (renewal application or vehicle replacement application only):

(i) Number of doors on vehicle:

(j) Do you intend displaying signage or advertisements on the body of the vehicle? Yes No If YES see note 8 above.

(k) Has the vehicle been converted to run on gas? Yes No

(l) Is a taximeter fitted to the vehicle? Yes No

(m) Date of expiry and serial number of vehicle test certificate:

(n) Is the vehicle designed or adapted to carry a wheelchair bound passenger? Yes No If Yes, how many wheelchair spaces are available?

If Yes, you must note the contents of the guidance note at the end of this form and paragraph 4 of the Declaration section of this form.

(o) Has the vehicle been modified in any way that alters the maker's specification? Yes No If Yes, please give details.

8. Are you the sole proprietor of the above vehicle? Yes No If NO, please answer question 9 below.

9. If the answer to 8 above is 'No', state the name(s) and address(es) of the other joint proprietor(s) of the vehicle:

Declaration

(1) I HEREBY APPLY for a hackney carriage vehicle licence and DECLARE that the information set out in this application is correct and I am aware that any false information could lead to the disqualification of the application and prosecution under Section 57 (3) of the Local Government (Miscellaneous Provisions) Act 1976.

(2) I acknowledge that the hackney carriage vehicle identification plate issued in respect of the vehicle:

- Is the property of East Lindsey District Council and is held on loan by me, and
- Must be returned to the Council on revocation or expiry of the licence, etc. (Section 58, Local Government (Miscellaneous Provisions) Act 1976)

(3) **Intended use of Hackney Carriage**

- I have been advised that, based upon the decision of the High Court in the case of R. (on the application of Newcastle City Council) –v- Berwick upon-Tweed Borough Council 2008, East Lindsey District Council ought not to licence Hackney Carriages which will be predominantly used outside the district.
- I hereby declare that it is my intention that the vehicle licensed by me will be used predominantly in the District of East Lindsey and I understand that should this not be the case either at the date hereof or at any time thereafter the Council may revoke or refuse to renew the licence under Section 60(1)(c) of the Local Government (Miscellaneous Provisions) Act 1976.
- I understand that each case will be decided on its merits.

(4) **Equality Act 2010 - Designated List of Wheelchair Accessible Vehicles**

This section is **only** relevant where the vehicle, subject of this vehicle licence application, is a Wheelchair Accessible Vehicle.

- I am aware of the Council's proposal to place this Wheelchair Accessible Vehicle on the published list of designated Wheelchair Accessible Taxis and Private Hire Vehicles (PHVs).
- I am aware that once the Wheelchair Accessible Vehicle is on the published list then drivers of the vehicle will be liable for a fine if they do not comply with the requirements of the Equality Act 2010.

NB Your information will be processed in accordance with the law, in particular the Data Protection Act 1998 and the Freedom of Information Act 2000. The information that you provide will only be used for Council purposes unless there is a legal authority to do otherwise.

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 contact the Licensing Team.

Signed:

Date:

Name in block capitals:

Contact Details:

Licensing Team
East Lindsey District Council
The Hub
Mareham Road
Horncastle
Lincolnshire
LN9 6PH

Tel: 01507 601111
E-Mail: licensing@e-lindsey.gov.uk
Website: www.e-lindsey.gov.uk

For Office Use Only

Notes:

Equality Act 2010 - Designated List of Wheelchair Accessible Hackney Carriage Vehicles and Private Hire Vehicles (PHVs)

If the vehicle, subject of this licence application, is a wheelchair accessible vehicle then you must note the following.

This Authority publishes on its website a list of designated Wheelchair Accessible Taxis and Private Hire Vehicles (PHVs). The Council are proposing to place your wheelchair accessible vehicle on the Designated List. The current Designated List is available to view on the Council's website at:

www.e-lindsey.gov.uk/article/5462/Hire-Vehicles-Equality-Act-2010

We are proposing that the record for the vehicle will show the following details:

- Make and Model of Vehicle
- Vehicle Registration Number
- Licence Plate Number
- Name of the Operator
- Size and Weight of Wheelchair That Can be Accommodated Within the Vehicle: Reference Wheelchair

Once the wheelchair accessible vehicle is on the published list then under the Equality Act 2010 drivers of the vehicle will be liable for a fine if they:

- refuse to carry a wheelchair passenger in their wheelchair*,
- fail (unless they have an official exemption from the Local Authority) to provide assistance - such as deploying the ramp and helping to push the wheelchair passenger into the vehicle,
- charge extra for carrying a passenger who uses a wheelchair.

* Please note that it is a defence for a person charged with the offence, of refusing to carry a wheelchair, to show that at the time of the alleged offence:

- a) the vehicle conformed to the accessibility requirements which applied to it, but,
- b) it would not have been possible for the wheelchair to be carried safely in the vehicle.

This Council's current guidance leaflet, on the subject of transporting a wheelchair user, is available on the licensing area of the Council's website at:

www.e-lindsey.gov.uk/article/5462/Hire-Vehicles-Equality-Act-2010

Please ensure that this leaflet is brought to the attention of all drivers in your employ.

Where possible we will include information, on the list of vehicles, about whether wheelchairs that are larger than a "reference wheelchair" can be accommodated within a particular vehicle. However, we suspect that for a large number of wheelchair accessible vehicles we will be indicating that the vehicle cannot normally accommodate anything larger than a "reference wheelchair".

Wheelchair accessibility regulations for access to public transport use a specific "reference wheelchair". The reference wheelchair has:

- total length of 1200mm, including extra-long footplates
- total width of 700mm
- sitting height (from ground to top of head) of 1350mm
- height of footrest above floor of 150mm

If you disagree with the proposal to place your vehicle on the Designated List, please contact us by letter or email (licensing@e-lindsey.gov.uk) within 28 days of the date of this licence application. Please title your letter or email 'Designated List of WAVs - Taxis and PHVs'.

If you disagree with the proposal then we will not place your vehicle on the Designated List and instead will arrange a Licensing Committee hearing (consisting of Councillors) in order to consider your case and concerns.

If following the licensing hearing the Licensing Committee decide to place the vehicle on the Designated List, then once we have issued the formal notice, which will include the specific appeal rights, you may appeal to the Magistrates Court if you wish to do so.

Information on driver exemptions is available on the licensing area of the Council's website or by contacting the Council's Licensing Team. If you require any further licensing information or advice, please do not hesitate to contact the Licensing Team by email at: licensing@e-lindsey.gov.uk

Data Protection Notice – Licensing (Hackney Carriage & Private Hire Vehicle Licensing)

East Lindsey District Council is a Data Controller and can be contacted at:

The Hub, Marehan Road, Horncastle, Lincolnshire, LN9 6PH
Tel: 01507 601111

The Data Protection Officer for this Authority can be contacted at the same address.

We are collecting your personal data in order to process your licence application as we are the Licensing Authority.

Your data will not be shared with third parties but may be used for Council purposes, in order to prevent or detect crime, to protect public funds or where we are required or permitted to share data under other legislation.

Some limited licensee information may be made available to the public where relevant legislation requires or permits it and publication is in the public interest. Examples may include licensee names and associated licence numbers, together with the status and expiry dates of those licences

In line with our retention policy your data will be kept for the period of time that you hold a licence with this Authority and then for a further 6 years after your last licence expires. The data will then be deleted / destroyed.

We also keep data for six years from the resolution of an unsuccessful licence application or the resolution of legal proceedings.

You have the right to access your data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances. Please contact the Data Protection Officer for further information or go to our website where your rights are explained in more detail. If you would like to receive an explanation of your rights in paper format please contact the Data Protection Officer.

Any complaints regarding your data should be addressed to the Data Protection Officer in the first instance. If the matter is not resolved you can contact the Information Commissioner's Office at:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Tel: 0303 123 1113

If you do not provide the information required on the form then we will not be able to process your licence application.

For further information on our Data Protection Policies please go to our website: www.e-lindsey.gov.uk

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