



Licensing Service
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30th November 2016

This notice is very important; if you do not understand it, please show it to someone who understands English.

ایہ نوٹیشن بہت اہم ہے، اگر آپ اسے نہیں سمجھ سکتے تو براہ مہربانی کسی ایسے فرد کو دکھائیے جو انگریزی جانتا ہے۔
آپ کو اس نوٹیشن کے بارے میں پتہ چلے گا کہ اسے سمجھنے کے لیے آپ کو کون سا شخص دکھانے کی ضرورت ہے۔

RE: Immigration Act 2016 - Applications for private hire and hackney carriage driver and private hire operator licences.

Right to work in the UK check required

The UK Government has changed the law regarding private hire, hackney carriage driver’s and private hire operator licences with effect from 1 December 2016. These changes will affect you if:

- you apply for a driver’s or operators licence on or after 1 December 2016; or
- you already hold a driver’s or operators licence and you apply for your licence on or after 1 December 2016.

The legislation does not affect applications for vehicle licences.

This note explains what the changes mean, how they will affect you and what you need to do.

What do the changes mean?

The changes mean that, from 1 December 2016, the council as a licensing authority is under a new legal duty to ensure that driver and operator licences are only issued to applicants who have the right to licence in the UK.

In order to comply with this duty the council has to check that all applicants on or after 1 December 2016 have the right to work in the UK. By law this applies to everyone regardless of where they were born, how long they have lived in the UK and, if they already hold a driver or operator licence, how long they have held that licence.

How the changes will affect you

For applications received on or after 1 December 2016 you will be required to provide original and valid evidence of your right to work in the UK before your licence

Please Turn Over...

will be issued. Should you fail to do so, your licence will not be issued and will not be processed further. Please see below for further details as to what is required for you to evidence your right to work in the UK.

What you need to do

You will be notified when to attend the licensing public counter where a council licensing officer will check your original valid documentation evidencing your right to work in the UK. You must attend in person and bring evidence of your right to work in the UK with you to the council offices. Only certain forms of documentation are acceptable. For applicants who are British citizens all they need to produce will be a passport. For British Citizens who do not have British passports there are other documents which can be produced instead these are contained in List A attached to this note.

For applicants who have restrictions on their right to work in the UK they must produce one of the documents in List B attached to this note.

Please note that you must provide the original (not a copy). If you do not possess any of the mentioned forms of documentation, you must let us know as soon as possible. It is your responsibility to make sure that you can provide one of the acceptable forms of documentation and you should take steps to obtain this, if required.

The licensing officer at the time you personally produce your documents to is required to follow a 3 step process:

1. obtain the original version of one or more of the acceptable documents referred to above;
2. check the document's validity in the presence of the applicant; and
3. make and retain a clear copy of the document.

Please assist the licensing officer in helping them to follow this legally required 3 step process.

Once your documentation has been checked

If the documentation you provide demonstrates that you have a permanent right to work in the UK (from list A) you **will not** be required to produce this on future applications.

In other cases, you will be required to provide your documentation when you next apply to apply your licence so that your documentation can be checked again or this may be earlier if your right to work in the UK is limited to a shorter period.

As part of these changes from the home office it is also important to highlight that if you currently have a VISA that confirms your stay in the UK that is attached in an expired passport, this is no longer accepted and as a result you will need to apply to the home office in order to get this corrected before being issued with a driver or operator licence.

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List A

No restrictions on right to work in the UK. Once the council has undertaken the necessary check once, and retained a copy of your document, you will not have to repeat the check when you subsequently apply to renew 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 your licence (subject to statutory limitations) up to the expiry date of your permission to work in the UK. The council will check your immigration status each time you apply to renew 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.