



PRIVATE HIRE OPERATOR LICENCE APPLICATIONS - GUIDANCE TO APPLICANTS FROM Aug 2022

You must submit the following information with your new or renewal operator application

- A fully completed application form
- HMRC Tax check code
- Enhanced DBS check, and evidence of sign up to the DBS Update Service ie DBS reference code (unless a current driver licence is already held with Burnley Council)
- Proof of your right to work in the UK
- Proof of planning permission for each of the addresses from where the business will be carried on. If the premises are to operate as a base, the planning permission will include details of parking provision arrangements for the number of vehicles intended to be used under the terms of the Operator's licence.
- Proof of holding a radio transmission licence (and planning permission for any aerial) if such radios are used by the Operator.
- A current and original insurance document for Employees/Public Liability cover. This cover must be in place when Operators are employing any full or part-time staff (e.g. radio operator, dispatcher or drivers etc).
- A passport size photograph

Applications will not be accepted until all the above information is provided. Please apply in good time. When your current licence expires you will not be able to operate PH vehicles until a renewal licence is granted.

In order to make an appointment to submit an operator application, please contact the Taxi Licensing Team either by telephone 01282 425011 or email licensing@burnley.gov.uk or in person at the Contact Centre, Parker Lane, Burnley, BB11 2BY. (Vehicle applications should still be made via the drop box)

Further information:

Completion of the application form:

- The application form must be completed in full.
- It includes questions relating to previous licence refusals and revocations and whether you have any convictions, cautions, reprimands or warnings recorded against you for any offence, including endorsable fixed penalty tickets, motoring offences and penalty points.

If you answer YES to the above questions you **must** enter details in the relevant section on the application form.

Failure to declare any of the above matters, **NO MATTER HOW OLD THEY ARE**, is an offence and is likely to result in prosecution and subsequent refusal of your application.

Note; Notwithstanding the provisions of the Rehabilitation of Offenders Act 1974, spent convictions or cautions are, by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 disclosable for the purposes of this application unless they have been defined by the 1975 Order as being "protected"

A copy of the 1975 Order can be downloaded free of charge at www.legislation.gov.uk

"IF ANY PERSON KNOWINGLY OR RECKLESSLY MAKES A FALSE STATEMENT OR OMITTS ANY MATERIAL PARTICULAR IN GIVING THE FOLLOWING INFORMATION HE SHALL, UNDER SECTION 57 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 PART II, BE GUILTY OF AN OFFENCE".

Planning Approvals:

The Operator Licence will be attached to the main business address. Where the business is also carried on from satellite premises those addresses should be provided. Details of planning approval for all premises to be used as either a call centre or base should be provided. Any changes to the off-street parking arrangements at bases should be subject to a variation in planning consent. Planning consent will determine the number of vehicles permitted on the operator licence. The satellite addresses will appear as `Additional Conditions` on the Operator Licence.

DBS:

- Where required, an enhanced DBS should be arranged with Taxi Plus. Contact details of Taxi Plus are www.taxiplus.co.uk They will submit your DBS application to the Data and Barring Service electronically.

Burnley Council has a dedicated page on the Taxi Plus website. Here you will find guidance on how to pay online for your DBS check and how to begin the application process. Information also includes details of the DBS update service subscriptions which must be completed either at the time you apply for a DBS certificate or 28 days after the date of issue of the certificate. You will be provided with a reference to show you subscribe to the update service and you will need this reference to include on your application form.

The following link can be used to arrange DBS Update Service Subscription:

<https://secure.crbonline.gov.uk/crsc/apply?execution=e4s1>

The update service is only available for enhanced DBS certificates.

As part of the application process you will need to have your identity documents verified.

At the present time this can only be done by providing copies or good quality images of your identification documents directly to Taxi Plus free of charge or at a Post Office.

Your Enhanced DBS certificate will then be processed. Once it is completed it will be posted to your home address.

- Once you have received your DBS certificate you should include it in your application pack and insert the DBS update service reference number onto the application form.

NB: By applying for a licence you will be consenting to a DBS review being carried out every 12 months.

Right to Work:

A licence will not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued will expire when the right to work expires and will become invalid when a licence holder ceases to be entitled to work in the UK.

Applicants must demonstrate that you have the right to work in the UK and are not subject to a condition preventing you from doing work relating to the carrying on of a licensable activity.

You can do this in one of two ways:

1) by bringing with you an original document listed at Appendix A which will be copied and scanned onto our system that demonstrates your entitlement to work in the UK.

2) by providing your 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service.

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their **share code** (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to

obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office.

We are unable to process taxi licence applications until such time as you are able to prove your right to work. The documents you can use to demonstrate your right to work are listed at Appendix A of this guidance.

HMRC Tax Checks:

- First time applicants will need to sign to say they understand the tax requirements, but if you have held a taxi driver or operator's licence with any licensing authority within the last 12 months will need to complete a tax check and include the code on your application form.
- Further information on tax checks can be found here

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

Payment:

- Payment information is available on taxi pages of the council's website here: [Taxi Payment - Online 2.pdf \(burnley.gov.uk\)](#)

DECISION MAKING:

The information submitted will be considered and applications granted in line with our fitness and propriety requirements which include the convictions policy available on the taxi pages of the Council's website.

List A – acceptable documents to establish a continuous permission to work	
1	A passport (current or expired) showing 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 passport card (in either case, whether current or expired) showing that the holder is an Irish Citizen.
3	A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
4	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.
5	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.
6	A birth or adoption certificate issued 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.
7	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.
8	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 Group 1 – documents indicating a time-limited permission to work that lasts until the expiry date of the document	
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 document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
3	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.

List B Group 2 – documents where a time-limited permission to work lasts for six months	
1	A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme) on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
2	A certificate of Application (digital or non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU settlement scheme) on or after 1 st July 2021, together with a Positive Verification Notice from the Home Office Employer Scheme.
3	A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules, together with a Positive Verification Notice from the Home Office Employer Checking Service.
4	An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
5	A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.