



Home Office

James Brokenshire MP  
Immigration Minister

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Michael Matheson  
Cabinet Secretary for Justice  
St. Andrew's House,  
Regent Road,  
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*Dear Michael,*

06 NOV 2015

#### **IMMIGRATION BILL – TAXI AND PRIVATE HIRE LICENSING**

I am writing to inform you that today I have tabled an amendment to the Immigration Bill currently before Parliament concerning taxi licensing. The amendment has an immigration purpose but as taxi licensing is otherwise devolved there will be some impacts to work through in Scotland.

The Bill already contains measures to tackle illegal working in premises involved in the sale of alcohol and late night refreshment through changes to the licensing regime. We propose to introduce similar immigration safeguards into the licensing regimes for taxis and private hire vehicles. This is because drivers of these vehicles are usually self-employed and therefore not subject to existing right to work checks, which leaves scope for this sector to be exploited by illegal workers. I am now acting to close this loophole by adapting the licensing regime to prevent illegal working.

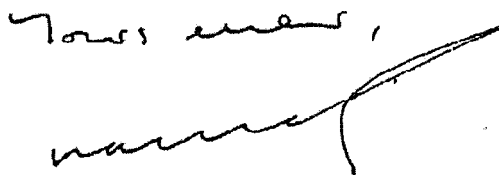
The new clause adapts existing provisions for private hire vehicles in London (the Private Hire Vehicles (London) Act 1998) and taxis and private hire vehicles in the rest of England and Wales (the Local Government (Miscellaneous Provisions) Act 1976) to ensure that licensing authorities do not issue driver or operator licences to people who do not have lawful status or the right to work in the UK. Where immigration leave is time-limited to less than the statutory length for a driver or operator licence, the licence will be issued for a duration which does not exceed the applicant's period of leave. In addition, the new clause adds immigration offences and penalties to the list of grounds on which taxi and private hire driver and operator licences can be revoked. We have also provided for the compulsory return of driver

and operator licenses which have lapsed, expired or been revoked on the grounds of the holder's immigration status or failure to comply with immigration requirements. Non-compliance with this compulsory return requirement is a criminal offence, punishable by a fine.

The new provisions also include an enabling power so that similar amendments can be made to the equivalent taxi and private hire regime in Scotland.

My officials have briefly discussed these provisions with yours and I am sure will now have further discussions over the coming weeks to ensure that this scheme can be made to work effectively.

A copy of this letter goes to the Secretary of State for Scotland.

A handwritten signature in black ink, appearing to read 'James Brokenshire', with a long, sweeping horizontal stroke extending to the right.

**Rt Hon. James Brokenshire**