

Report sponsor: Samantha Dennis, Director of
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Licensing

Statutory Taxi & Private Hire Vehicle Standards National Register of Taxi & Private Hire Licence Revocations and Refusals (NR3)

Purpose

- 1.1 Derby City Council has a responsibility to ensure that those persons holding a hackney carriage/private hire drivers licence are 'fit and proper' to do so.
- 1.2 The report details what the Council can introduce to further assist in the deliberation of applications at both the new and renewal stage of the process.

Recommendation(s)

- 2.1 That Committee consider the report and agree to the adoption of the National Register of Taxi & Private Hire Licence Revocations and Refusals (NR3).
- 2.2 Committee is asked for approval to commence consultation on the wording of the policy for a 12 week period.
- 2.3 That the Committee delegate authority to make changes to the draft policy following any minor responses to the consultation, to the Head of Service for Licensing and the Licensing Manager in consultation with the Chair of Committee
- 2.4 That the Committee consider and approve the NR3 Policy at Appendix 1 for use upon adoption.
- 2.5 That the Committee authorise the Head of Service for Licensing and the Licensing Manager to make amendment to any existing policies to reflect the adoption of NR3.

Reason(s)

- 3.1 The Statutory Taxi & Private Hire Vehicles Standards released by the Department for Transport last year specifically refers to sharing licensing information with other licensing authorities. It suggests that NR3 is one of the tools which should be used by licensing authorities to share information on a more consistent basis to mitigate the risk of non-disclosure of relevant information by applicants.

Supporting information

- 4.1 The Policing & Crime Act 2017 enabled the Secretary of State for Transport to issue statutory guidance on exercising taxi and private hire vehicle licensing functions to protect children and vulnerable adults from harm.
- 4.2 In July 2020, the government introduced new standards for the taxi and private hire vehicle trades across England and Wales. This is the latest step to be taken by the government to reduce the risk of harm to passengers and to help improve consistency across local authorities and represents a significant step-change in the way in which local authorities will licence drivers, vehicles and operators.
- 4.3 As a Licensing Authority, we are required to be satisfied that those holding a Hackney Carriage and/or Private Hire Drivers Licence are deemed 'fit and proper' to do so.
- 4.4 This is achieved upon first application by requiring a number of steps to be completed such as DBS and DVLA checks as well as completion of driver and knowledge test together with attendance on a safeguarding training session. Enquiries can also be made at any time throughout the duration of the licence.
- 4.5 Drivers are expected to disclose any information which may affect their application or renewal. However, there may be information which is not disclosed by an applicant such as being revoked from another authority or having an application refused elsewhere. This is important intelligence which could show a person's past behaviour which could impact on the fit and proper person test
- 4.6 The Local Government Association (LGA) commissioned the National Anti-Fraud Network (NAFN) to develop a national register of taxi and private hire vehicle driver refusals and revocations (NR3). The register is increasingly being used by local authorities and provides that missing piece to our enquiries.
- 4.7 It is therefore requested that the Committee consider and approve the adoption of the use of NR3 by Derby City Council in order to carry out checks on new applicants and upon renewal of existing licences.
- 4.8 If this Committee approves the adoption of the use of NR3, local authorities are required to consult with the trade and the Committee is asked for approval to commence a 12 week period on the wording of the policy.
- 4.9 It is also requested that if there are no adverse comments received to the implementation of the register That the Committee delegate authority to make changes to the draft policy following any minor responses to the consultation, to the Head of Service for Licensing and the Licensing Manager in consultation with the Chair of Committee.. Any adverse comments will be referred back to the Licensing Committee.
- 4.10 A draft policy is attached at Appendix 1 explaining the use of NR3 following adoption.

Public/stakeholder engagement

- 5.1 There will be a 12 week consultation period for responses on the wording of the policy.

Other options

- 6.1 Not to adopt the introduction of uses of the NR3 register.

Financial and value for money issues

- 7.1 It is envisaged that the cost for implementation and maintenance of this licensing function will be covered by the existing licence fees. Fees are evaluated on an annual basis to ensure cost recovery is maintained.

Legal implications

- 8.1 Data protection legislation provides exemption from the rights of data subjects for the processing of personal data in connection with regulatory activities. This includes taxi and PHV driver licensing.

Part 6 of the LGA guidance sets out how to achieve compliance with data protection requirements in respect of the adoption of the NR3 which should be followed.

Climate implications

- 9.1 None directly arising from this report.

Other significant implications

- 10.1 None

This report has been approved by the following people:

Role	Name	Date of sign-off	
Legal	Lucie Keeler, Solicitor		
Finance			
Service Director(s)	Samantha Dennis, Service Director Michael Kay, Head of Service		
Report sponsor			
Other(s)			
Background papers:			DfT Statutory Taxi & Private Hire Vehicle Standards
List of appendices:			Appendix 1 – Proposed NR3 Policy