

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

Licensing and Public Protection Committee
10 May 2023

Report Title: Update on Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022

Submitted by: Service Director - Regulatory Services

Portfolios: Finance, Town Centres and Growth

Ward(s) affected: All

Purpose of the Report

To provide an update on the Taxi and Private Hire Vehicles (Safeguarding & Road Safety) Act 2022 in relation to recording of taxi refusals, revocations and suspensions on a central database.

Recommendation

That Members note the contents of the report

Reasons

Department for Transport (DfT) have recently provided information in relation to arrangements for information sharing required through the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 which will affect all licensing authorities in England.

1. **Background**

- 1.1 The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 ("the Act") received Royal Assent on 31st March 2022. It was the subject of a report to committee on 28th June 2022.
- 1.2 The Act seeks to improve the safety of passengers in two ways. Firstly it mandates that licensing authorities must record all instances of suspensions, revocations and refusals taken against taxi drivers on a central database. Secondly it places a duty on licensing authorities that when they have certain safeguarding or road safety concerns about a driver licensed by another authority, they must provide relevant information to the authority that issued the licence, who must then consider whether to suspend or revoke that drivers' licence within a specified period.
- 1.3 The first part has now received a commencement date and information relating to the arrangements.

2. **Issues**

- 2.1 Where a licensing authority suspends, revokes or refuse to grant or renew a taxi driver licence they must enter that decision onto a central database along with the drivers' name, address, date of birth, national insurance number and DVLA driving licence number. They also provide that all licensing authorities must check the database for an individual's details

where they have made an application for a new, or to renew a taxi driver licence. The information will be retained on the database for a period of 11 years.

2.2 On 28th February 2023, Department for Transport wrote to all Licensing Authorities to announce that an agreement to designate the National Anti-Fraud Network as the database provider under Section 4(1)(a) of the Act. The National Anti-Fraud Network's database, is the National Register for Revocations, Refusals and Suspensions (NR3S). This register now included suspensions and is the database which the Council is already using.

2.3 A commencement date of 27 April 2023, has been given to use the NR3S to record taxi and private hire vehicle driver licences that have been refused, suspended or revoked for safeguarding or road safety reasons. This date has been met with all records being up to date.

3. **Proposal**

3.1 That Members note the contents of the report.

4. **Reasons for Proposed Solution**

4.1 The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received Royal Assent in 2022. It will be mandatory that the Council comply with the provisions within the Act. The provision for all licensing Authorities to record information on a central database has received a commencement date of 27 April 2023 and the arrangements for such have been provided.

5. **Options Considered**

5.1 No alternative options have been considered

6. **Legal and Statutory Implications**

6.1 The Act places a number of statutory duties upon the Council. The Council must comply with these.

7. **Equality Impact Assessment**

7.1 N/A

8. **Financial and Resource Implications**

8.1 As the Council already use the database mandated and the Council regularly shares information about drivers with other licensing authorities and responsible bodies such as the Police, there should not be a large implication on resources and will form part of the day to day activities of the licensing department.

8.2 The database requires driver suspensions to be added into the records. These have now been uploaded onto the NR3S database which was up to date for the commencement date.

8.3 In relation to the fee, in the DfT letter details "*Furthermore, to assist with this new mandatory requirement, I am pleased to announce that my department is covering the cost of access to the NR3S. All licensing authorities will be given access to the NR3S for free.*" We are currently following this up with NAFN/DfT as payment for 2023 has still been required.

9. **Major Risks**

9.1 There are no major risks anticipated as the provision are mandating the good practice that already goes on between licensing authorities.

10. **UN Sustainable Development Goals (UNSDG)**

10.1 The following UN sustainable goals are applicable.



11. **Key Decision Information**

11.1 N/A

12. **Earlier Cabinet/Committee Resolutions**

12.1 Licensing & Public Protection Committee 28th June 2022.

13. **List of Appendices**

13.1 None

14. **Background Papers**

14.1 [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Act 2022](#)