

**DEPARTMENT: ENVIRONMENT AND LEISURE**

**ORIGINATING SECTION : PUBLIC PROTECTION SERVICE**

**REPORT TO : LICENSING COMMITTEE**

**30:10:18**

**TITLE : National Register of Taxi Licence Revocations and Refusals**

## **1. PURPOSE**

To inform members of the National Register of Taxi Licence Revocations and Refusals with a view to adopting its use by Blackburn with Darwen Borough Council.

## **2. RECOMMENDATIONS**

That members note the report and direct officers to draft the necessary amendments to Policy for the adoption and use of the National Register of Taxi Licence Revocations and Refusals.

## **3. KEY ISSUES**

Licensing Authorities must satisfy themselves that anyone driving a private hire or hackney carriage vehicle is fit and proper to do so. Initially this is done at the application stage and then at any time during the life of the licence. Authorities may refuse a licence or if evidence suggests may suspend, revoke or refuse to renew.

Currently when a driver who does not disclose information about a previous revocation or refusal of a licence there is often no way for a licensing authority to find out about it. This means that vital information about a driver's past behaviour is missed and a driver might be granted a licence in a new area despite having a licence revoked elsewhere.

In response to this the Local Government Association (LGA) have commissioned the development of a national register of all revoked and refused private hire and hackney carriage drivers licences (NR3).

This will allow licensing authorities to record their refusals and revocations and check new applicants against the register.

Guidance has been issued by the LGA on how to implement use of the register. Authorities will need to update policies, provide historical data to the database and amend forms and information given to drivers. In particular, all the drivers who have been refused or revoked in the past will need to be written to individually and informed that their details will be entered onto the register.

## **4. RATIONALE**

The simple objective of the NR3 is to ensure that all authorities are able to make properly informed decisions on whether an applicant is fit and proper, in the knowledge that another authority has reached a negative view on the same applicant. This will be achieved by providing a mechanism for allowing authorities to check. Whenever an authority receives an application for a

licence they must check at an early stage if that driver is on the register.

Every decision must be made on its own merits; a previous refusal or revocation cannot fetter the Licensing Authorities decision by relying on the previous decision. The purpose of the register is not to mean that a person who has been refused a licence on one occasion should always be refused. However it will always be relevant for an authority to consider the previous revocation or refusal and reasons for it.

The register will be hosted by the National Anti-Fraud Network (NAFN) through a dedicated secure portal. An officer will be designated as a Single Point of Contact to input and retrieve information from the register. Data sharing agreements will need to be signed to ensure compliance with General Data Protection Regulations (GDPR) and the Data Protection Act 2018.

Historic data will be migrated onto the register and details will be stored for up to 25 years.

## **5. POLICY IMPLICATIONS**

Blackburn with Darwen Borough Council's Hackney Carriage and Private Hire Licensing Policy will need to be up dated to reflect changes brought about by the use of National Register of Taxi Licence Revocations and Refusals.

## **6. FINANCIAL IMPLICATIONS**

Any financial costs incurred through use of National Register of Taxi Licence Revocations and Refusals will be taken into account when calculating fees for taxi related licences.

## **7. LEGAL IMPLICATIONS**

Theoretical risk of legal challenge if processes or procedures are not followed.

## **8. RESOURCE IMPLICATIONS**

Existing staff in the Public Protection Service will undertake the associated work in adopting and using the national register.

## **9. CONSULTATIONS**

Licensing Committee and executive member

## **10 . CONTACT OFFICER**

Donna Riding – Principal Officer - Licensing  
Telephone 01254 585004