

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

Agenda Item No. 7

meeting date: TUESDAY, 10 APRIL 2018
title: NATIONAL DATABASE FOR TAXI DRIVERS AND PROPOSED LEGISLATION
submitted by: CHIEF EXECUTIVE
principal author: MAIR HILL

1 PURPOSE

1.1 To seek Committee's views on whether the Council should subscribe to the National Database for taxi drivers and join the National Anti-Fraud Network.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives - } The Council aims to be a well-managed Council providing efficient services based on identified customer needs, consideration of this issue will enhance this.
- Corporate Priorities - }
- Other Considerations - }

2. BACKGROUND

2.1 At present there is no national database of private hire or hackney carriage licence holders and so no way for councils to check (other than by disclosure by an applicant as required on the application form) whether they have previously had a licence refused or revoked by a council in another area.

2.2 Daniel Zeichner MP has put forward a private members bill to introduce a legal register that will require authorities to record all refusal and revocations on a national register, as well as requiring them to cross-reference new application against the register, to stop rogue drivers securing licences elsewhere. The Local Government Association ("**LGA**") has supported this draft bill. The bill had its second reading in the House of Commons on 2 February 2018 but the debate was interrupted and the debate is not to be resumed until Friday 26 October 2018.

2.3 The LGA has however proposed a voluntary national database in the interim which will allow councils to record details of where a taxi or PHV licence has been refused, revoked or suspended and allow local authorities to check new applicants against the register.

3. ISSUES

3.1 The LGA has commissioned the National Anti-Fraud Network (NAFN) to develop and host the register. NAFN is a shared service, hosted by Tameside council, which supports public authorities to tackle fraud and share intelligence. NAFN have been working with the LGA and a user group comprised of licensing officers from a number of local authorities to develop the register, and testing of the site is set to begin shortly.

3.2 Under the scheme licensing authorities will be responsible for adding basic details of drivers who have had applications for a licence either refused, revoked or suspended. The intention is that when a licensing authority receives an application for a licence, the applicant's details will be run through the register to confirm that there is no record of them having being revoked or refused elsewhere. Details contained on the register will be limited to information that will help identify an

individual to a certain degree of accuracy, but will not give a reason why actions were taken. It will be up to individual authorities to follow up on any searches which come back with a match.

- 3.3 The register is set to go live in April 2018. The council has now been contacted by the LGA with regard to joining this initiative. In order to be part of it the council would need to join the National Anti-Fraud Network. The annual membership for this would be £1,050, although the LGA stress that this would be a legitimate cost to be recovered from licensing fees if the council uses its membership for this initiative alone. Access is also conditional upon the council agreeing to a data processing and data sharing agreement with NAFN to comply with both the Data Protection Act and GDPR which comes into force in May 2018.
- 3.4 Committee is therefore asked to consider whether the council should become part of the initiative and if so authorise it to join the National Anti-Fraud initiative.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – The Council would need to identify funds to join the National Anti-Fraud database from existing budgets and establish whether this can be incorporated into Licence fees going forward.
 - Technical, Environmental and Legal – No implications identified.
 - Political – No implications identified.
 - Reputation – No implications identified.
 - Equality and Diversity – No implications identified.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Authorise the Head of Legal and Democratic Services to arrange that the Council sign up to the National database and to join the National Anti-Fraud Network.

MAIR HILL
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Mair Hill, extension 3216.

REF: MJH/Licensing Committee/10 April 2018