



LICENSING AND REGULATORY COMMITTEE

DATE: 23 AUGUST 2023

Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022

Report Darin Wilson, Head of Public Protection

Cabinet Member: Councillor Gordon Stewart– Portfolio Holder Community Services

Purpose of report

To update members on the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 (Sian's Law) and the statutory guidance.

Recommendations

Members note the content of the report.

Link to Corporate Plan

This report is relevant to the achieving value for money and driving economic growth priorities of the NCC Corporate Plan 2023-2026.

Key issues

Local Authorities are responsible for licensing of hackney carriage and private hire drivers, and therefore need to ensure that members of the public are safeguarded when travelling in licensed vehicles.

The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received Royal Assent on 31st March 2022.

The aim of the Act is to protect passengers but also aid drivers of taxis and private hire vehicles by guaranteeing high standards to any would-be passengers.

The Act requires Licensing Authorities that have information relating to safeguarding concerns about a driver licensed by another authority to share the information with the other authority

The Act requires licensing authorities to search the national licensing database of driver revocations and refusal for entries relating to applicants prior to granting drivers licences.

The Department for Transport has published [statutory guidance for licensing authorities](#) relating to the requirement to share information with other authorities. Further guidance is expected in relation to the use of the National Register (NR3S)

Background

From 31 May 2022, if any licensing authority in England has information about a taxi or PHV (Private Hire Vehicle) driver licensed by another authority that is relevant to safeguarding or road safety concerns in its area, it must share that information with the authority that issued that driver's licence. Guidance has recently been issued by the Department of Transport relating to this matter.

Any licensing authority provided with such information by another authority must consider whether to suspend or revoke the driver's licence and inform the authority that shared the information of its decision.

Once the licensing authority becomes aware of the safeguarding or road safety concerns, it has 10 working days to provide the relevant information and any other information to identify the driver to the licensing authority that issued the driver's licence.

Within 20 working days of receiving the concerns, the licensing authority must inform, in writing, the licensing authority that reported the concerns whether it has suspended or revoked the driver's licence (or intends to suspend or revoke the licence).

The act allows the Secretary of State for Transport to provide or designate someone to provide a database which licensing authorities in England must use for the purposes of the act.

The designated database provider will ensure that every licensing authority in the United Kingdom has access to the designated database to create, amend, remove and reinstate entries in it. The legal requirement to use the database only applies to taxi and PHV licensing authorities in England.

The designated database provider will also ensure that records older than 11 years are removed.

The designated database provider is the National Anti-Fraud Network and the designated database is the National Register for Revocations, Refusals and Suspensions (NR3S).

[Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Act 2022 - GOV.UK \(www.gov.uk\)](#)

Implications

Policy	None
Finance and value for money	None
Legal	
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) N/A	
Risk Assessment	none
Crime & Disorder	none
Customer Consideration	Enhanced procedures for safeguarding the Public
Carbon reduction	None
Health and Wellbeing	None
Wards	All

Background papers:

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

	Full Name of Officer
Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	Graeme Binning
Chief Executive	
Portfolio Holder(s)	Gordon Stewart

Author and Contact Details

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