



**Notice of a public meeting of
Licensing and Regulatory Committee**

To: Councillors Cuthbertson (Chair), Melly (Vice-Chair),
Orrell, Barker, D'Agorne, Galvin, Hook, Hunter, Looker,
Mason, D Myers, Norman, Warters, Wann and Wells

Date: Tuesday, 4 October 2022

Time: 5.30 pm

Venue: Hudson room, West Offices

AGENDA

1. Declarations of Interest

At this point in the meeting, Members are asked to declare any disclosable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

- 2. Minutes** (Pages 1 - 4)
To approve and sign the minutes of the meeting held on 9 August 2022.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee. The deadline for registering at this meeting is at **5:00pm on Friday 30 September 2022.**

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill out an online registration form. If you have any questions about the registration form or the meeting please contact the Democracy Officer for the meeting whose details can be found at the foot of

the agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this public meeting will be webcast including any registered public speakers who have given their permission. The public meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

4. New hackney carriage licences - referral to Council (Pages 5 - 8)

This brief report is further to the decision of this Committee on 7 June 2022, and the Executive on 28 July 2022. As a matter of administration, Members are asked to refer to Council the decision to amend the council's taxi licensing policy in respect of the *number* of hackney carriage licences issued.

5. Taxi Licensing Policy (Pages 9 - 16)

This report sets out a proposed timetable for the revision, consultation and implementation of a revised Taxi Licensing Policy.

6. Use of National Register of Refusals and Revocations (NR3) database (Pages 17 - 22)

This report seeks Member approval to use the National Register of Refusals and Revocations (known as the 'NR3 database') which is hosted by the National Anti-Fraud Network (NAFN) as part of its checks on new and existing taxi drivers to determine whether they are 'fit and proper' to hold a drivers licence, and to provide details of drivers the council has suspended, revoked etc. to other taxi licensing authorities to aid their licensing decisions.

7. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Angela Bielby

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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City of York Council

Committee Minutes

Meeting	Licensing and Regulatory Committee
Date	9 August 2022
Present	Councillors Cuthbertson (Chair), Melly (Vice-Chair), Orrell, Galvin, Hook, Looker, D Myers And Norman
Apologies	Councillors Barker, D'agorne, Hunter, Mason, Warters, Wann And Wells
In Attendance	Matt Boxall (Head of Public Protection) Sandra Branigan (Senior Solicitor) Lesley Cooke (Licensing Manager)

90. DECLARATIONS OF INTEREST [17:32]

Members were invited to declare any personal interests not included on the Register of Interests, any prejudicial interests, or any disclosable pecuniary interests that they might have in respect of business on the agenda. There were none.

91. MINUTES [17:33]

Resolved: That the minutes of the meeting held on 7 June 2022 be approved and signed by the Chair as a correct record subject to the following amendments:

That paragraphs 3 and 4 under Declarations of Interest be deleted and amended to:

- Members were invited to declare any personal interests not included on the Register of Interests, any prejudicial interests, or any disclosable pecuniary interests that they might have in respect of business on the agenda. Cllr Looker declared a personal interest in Agenda Item 4 [Hackney Carriage Licences] with regard to accessibility and the need to maintain a fleet accessible other than to wheelchair users. Cllr Norman also declared a personal interest in that item due to his employment

in wheelchair services and working with people with wheelchair interests. There were no further declarations of interest.

- That in the second bullet point after the Chair left the meeting at 18:50 in the minute on Hackney Carriage Licences be amended to:
The Senior Solicitor advised that there could only be a quantity restriction in the number of licences issued if Members were satisfied that there was no unmet demand. The LVSA author of the unmet demand survey explained that it would take a significant change in supply to bring the number of licences down to 80/180. [subject to this being checked on the webcast]

The Head of Public Protection advised Members that the Executive had agreed with the Committee recommendation that the type of vehicle would be black, wheelchair accessible and hybrid. He added that the number of licences issued would be decided at Full Council.

92. PUBLIC PARTICIPATION [17:44]

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

93. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 SCHEDULE 3 AS AMENDED BY POLICING AND CRIME ACT 2009 RENEWAL OF SEX ESTABLISHMENT LICENCE FOR THE ADULT SHOP, 70B GILLYGATE, YORK, YO31 7EQ [17:48]

Members considered a report which sought the determination of an application to renew a Sex Establishment Licence for a sex shop which has been made under the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 as amended by Policing and Crime Act 2009 in respect of The Adult Shop, 70B Gillygate, York, YO31 7EQ.

The Licensing Manager outlined the report, detailing the annexes. She noted that conditions 25 and 26 in the standard conditions referred to him and her. She added that consultation had been carried out correctly, and there had been no objections to the renewal. She advised that there were no mandatory

grounds to refuse the application for a sex establishment licence and she noted discretionary grounds refusal.

By virtue of paragraphs 10, 12 and 13 of schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended), the Committee had the following options available to them in making their decision:

Option 1: Grant a renewal of the licence as requested.

Option 2: Renew the licence with modified/additional conditions imposed by the licensing committee.

Option 3: Refuse the application for renewal on one of the mandatory grounds or on one or more of the discretionary grounds within paragraph 12 to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended).

Cllr Melly moved option 2 to renew the licence with modified/additional conditions imposed by the committee. The modification related to references to him and her being changed to they or them in the conditions. This was seconded by Cllr Looker. On being put to the vote it was unanimously:

Resolved: That, in accordance with option 2 to the licence was renewed with modified conditions imposed by the committee. The modification related to references to him and her being changed to they or them in the conditions.

Reason: To consider renewal of the sex establishment licence as required by the legislation.

Cllr Cuthbertson, Chair

[The meeting started at 5.30 pm and finished at 5.50 pm].

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Licensing and Regulatory Committee

4 October 2022

Report of the Director – Environment, Transport and Planning

New hackney carriage licences – referral to Council**Summary**

1. This brief report is further to the decision of this Committee on 7 June 2022, and the Executive on 28 July 2022. As a matter of administration, Members are asked to refer to Council the decision to amend the council's taxi licensing policy in respect of the *number* of hackney carriage licences issued.

Recommendations

2. That Council approve the issuing of *ten* new hackney carriage vehicle licences (three that have not been renewed and seven additional licences), bringing the total number to 190.

Reason:

To help meet unmet demand for hackney carriage vehicles, particularly from users with a disability, and coupled with the proposed specification for those newly licensed vehicles provide a more environmentally friendly and easily recognisable hackney carriage fleet in the city in response to the declared climate emergency and continuing desire to improve air quality.

Background

3. On 7th June 2022, Members of this committee considered a detailed report in to the unmet demand for hackney carriages and resolved that 'it be recommended to Executive to make available 9 new hackney carriage vehicle licences (the two that had not been renewed, plus seven additional licences) with immediate effect to bring the total up to 190 as recommended within the unmet demand report.'

- 4, Please note, that since this decision was taken, another licence has 'become available' having not been renewed. This means that the council would now be making *ten* new licences available in total, but the total number of licences the council would issue i.e. 190 remains unchanged.
5. At the same meeting Members unanimously resolved to 'recommend to the Executive to amend the Taxi Licensing Policy to the vehicle specification in paragraph 25 with regards to the grant of any new hackney carriage vehicles licences'.
6. The Council's Taxi Licensing Policy states at paragraph 23.7 'The types of vehicles that new hackney carriage vehicle licences will be issued to will be determined by the Executive, if/when the Council determines to issue new licences.'
7. It will be noted however that the taxi licensing policy only states that the Executive must consider the *type* of vehicles licensed and not the *number* of vehicles licensed. At the Executive meeting on 28 July 2022, the Executive Members approved this Committee's recommendation in respect of the *type* of vehicles that any new licences should be issued to, in reaching that decision they were also made aware of your recommendation in respect of the number of licences (it was also highlighted that another licence had become available). However, as it is not specified in the Taxi Licensing Policy, they were not invited to refer the decision on the *number* of licences to Council.
8. As a matter of process, this report now asks Members to refer the decision on the number of licences to Council.

Consultation

9. The extensive consultation undertaken with passengers, the taxi trade and businesses as part of the unmet demand survey is included in the background reports.

Options

10. This report is an administrative matter concerning the referral of your previous resolution to Council, and therefore there are no options to consider.

Analysis

11. There is no analysis associated with this specific report.

Council Priorities

12. Increasing the number of hackney carriage vehicle licences to the type of vehicle specified will support the Council's priorities in respect of the following:

- A greener and cleaner city
- Safe communities and culture for all

Implications

13. The direct implications arising from this report are:

- (a) **Financial** – There are no financial implications for the council
- (b) **Human Resources (HR)** - There are no HR implications
- (c) **Equalities** – An equalities impact assessment of the recommendations leading to the previous resolutions is contained in the background papers.
- (d) **Legal** – The legal implications relating to the previous resolutions are contained in the background papers
- (e) **Crime and Disorder** – There are no crime and disorder implications.
- (f) **Information Technology (IT)** - There are no IT implications
- (g) **Property** - There are no property implications.
- (h) **Other** - There are no other implications.

Risk Management

14. The risk management implications are contained in the background papers.

Contact Details

Author:

Matt Boxall
Head of Public Protection

Chief Officer Responsible for the report:

James Gilchrist
Director Environment, Transport and Planning

**Report
Approved**



Date 26/09/2022

Specialist Implications Officer(s)

Wards Affected:

All

For further information please contact the author of the report

Background Papers

Taxi Licensing Policy

<https://www.york.gov.uk/downloads/download/54/taxi-licensing-policy>

Licensing and Regulatory Committee – Tuesday 7 June 2022, 5pm

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=606&MIId=13445&Ver=4>

Executive – Thursday 28 July 2022, 5.30pm

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=606&MIId=13445&Ver=4>



Licensing & Regulatory Committee

4 October 2022

Report from the Director – Environment, Transport and Planning

Taxi Licensing Policy

Summary

1. This report sets out a proposed timetable for the revision, consultation and implementation of a revised Taxi Licensing Policy.

Recommendations

2. That Members approve Option 1 of this report, namely:
 - i) Ask officers to form a working party of Members and a representative of each registered Hackney Carriage and Private Hire Association to formally review to Taxi Licensing Policy.
 - ii) Thereafter, ask Officers to formally consult on the revised Taxi Licensing Policy. Bringing the results of the consultation back to this Committee.
 - iii) Approve indicative the timetable for the revision, consultation and implementation of the Taxi Licensing Policy. The proposed timetable can be found at Annex 1.
3. Reason:
 - i) To formally review the Taxi Licensing Policy to make sure it is in line with the requirements of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards, any other statutory legal requirements and best practice.

Background

4. The Council's Taxi Licensing Policy (Policy) was published in January 2017; it was reviewed in 2019 with regards to matters relating to:

- determining the suitability of applicants and licensees as drivers in taxi and private hire licensing; and
 - driver training requirements.
5. A report was brought to Members on 22 February 2021 with regards to the Department for Transport (DfT) 'Statutory Taxi and Private Hire Vehicle Standards' (the Standards), which were published in July 2020. At paragraph 1.3, it states 'The Department expects these recommendations to be implemented unless there is a compelling local reason not to'. Therefore, Licensing Authorities must have regard to the recommendations when exercising relevant functions or justify why they have departed from them and the reason for that departure.
 6. The DfT published the Standards as hackney carriages (taxis), and private hire vehicles are a 'high-risk environment'. For example, links between the trade and child sexual abuse and exploitation have been established in many areas of the country.
 7. The main focus of the Standards is on protecting children and vulnerable adults, however all passengers will benefit from the Standards.
 8. The Council already implements a number of the requirements within the Standards in the existing Policy (a separate report on this meeting's agenda outlines a recommended approach to implementing the use of the National Register of Refusals and Revocations (known as the NR3 Register)). To aid the working group Officers have drafted a revised Policy to incorporate the requirements of the Standards that are not already implemented.
 9. The Council's current Policy and the Standards are available online, links provided below.

Consultation

10. This report is seeking permission to formally consult on the revised Policy. In due course, all holders of driver, vehicle and operators' licences will be consulted, as well as stakeholders, such as local business representatives, and the public.
11. The DfT formally consulted on the Standards prior to their implementation, from 12 February to 22 April 2019.

Options

12. Option 1

- i) Ask officers to form a working party of Members and a representative of each registered Hackney Carriage and Private Hire Association to formally review the Taxi Licensing Policy.
- ii) Ask Officers to formally consult on the revised Taxi Licensing Policy. Bringing the results of the consultation back to this Committee.
- iii) Approve the indicative timetable for the revision, consultation and implementation of the Taxi Licensing Policy. The proposed timetable can be found at Annex 1.

13. Option 2

- i) Determine that a working party is not required and ask Officers to formally consult on the revised Taxi Licensing Policy drafted by Officers. Bringing the results of the consultation back to this committee.
- ii) Approve an amended timetable (removing the revision element) for the consultation and implementation of the Taxi Licensing Policy. The timetable can be found at Annex 1.

14. Option 3

- i) Determine that a formal public consultation is not required, giving reason why. Ask Officer to bring the Taxi Licensing Policy drafted by Officers to this Committee to make recommendation to the Full Council.
- ii) Determine that a timetable is not required.

Analysis

- 15. Option one and two will seek the views of licence holders and stakeholders/interested parties, via formally public consultation, prior to the implementation of the Policy, this should prevent a legal challenge of the Policy or assist the Council in defending a legal challenge of the Policy.

16. Option three could leave the Council open to legal challenge by way of a judicial review, for not seeking the views of licence holders and stakeholders/interested parties.

Current Policy Requirements and Unmet Demand Survey

17. It is a requirement of the Council Policy that it is kept under review, and that the Council will consult on revisions where appropriate. It advises that reviews will take place in line with the requirements to undertake unmet demand surveys, once every three years. Due to the Covid 19 pandemic the unmet demand survey did not take place in 2020, Members agreed that the survey would be proposed by 12 months. The survey was undertaken in 2021, the results of which have been considered by Members of this Committee with recommendations going before Council on 20 October 2022.
18. Members of this Committee and the Executive have also considered the type of vehicle that will be licensed with regards to the 'grant' of a hackney carriage vehicle licence. Recommendations from the Executive will also be going before Council on 20 October 2022.
19. The revised Policy will include the decision of Council.

Other Considerations

20. The review of the Policy can also consider additional changes that are outside the scope of the Standards. On the 7 June 2022, Members of this Committee determine to review the hackney carriage rank provision, along with the vehicles specifications for hackney carriage and private hire vehicles as part of the review of the Taxi Licensing Policy.

Council Priorities

21. The taxi licensing functions undertaken by the Council are statutory, reviewing the Taxi Licensing Policy will support the Council's priorities in respect of:
 - A greener and cleaner city
 - Safe communities and culture for all

Implications

22. The direct implications arising from this report are:

(a) **Financial** – There are no financial implications.

(b) **Human Resources (HR)** - There are no HR implications.

(c) **Equalities** – An Equalities Impact Assessment will be undertaken prior to the implementation of the revised Policy.

(d) **Legal** –

The Council should consult on any changes to its licensing policy that might affect passengers or trade. In accordance with section 177(4) of the Policing and Crime Act 2017, the licensing authority must have regard to the DfT 2020 guidance when exercising its functions. Any failure to adhere to the standards without sufficient justification could be detrimental to the authority’s defence in the event of a legal challenge to the authority’s practice.

(e) **Crime and Disorder** – There are no crime and disorder implications.

(f) **Information Technology (IT)** - There are no IT implications.

(g) **Property** - There are no property implications.

(h) **Other** - There are no other implications.

Risk Management

23. Applying the Council’s risk scoring criteria, by undertaking a formal review and consultation of the Policy prior to implementation, as recommended at option one, poses a ‘minor’ risk, with the likelihood of any legal challenge being ‘unlikely’ giving a score of 8 (green risk). Failing to complete a formal consultation poses a ‘moderate’ risk with the likelihood of any legal challenge being ‘probable’ giving a score of 15 (yellow risk).

Contact Details

Author:	Chief Officer Responsible for the report:
Lesley Cooke Licensing Manager	James Gilchrist – Director of Environment, Transport and Planning

	Report Approved	√	Date	
Specialist Implications Officer(s)				
Wards Affected:			All	√
For further information please contact the author of the report				

Background papers

Taxi Licensing Policy

https://www.york.gov.uk/downloads/file/9715/taxi_licensing_policy

DfT Statutory Taxi and Private Hire Vehicle Standards

<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>

Annexes

Annex 1 – Indicative Timetable

Timetable

	Date
L&R Committee	4 October 2022
Establish working group – agree date and time of first meeting	w/c 10 October 2022
Draft Policy and dates of meetings to members of working group	w/c 24 October 2022
First meeting of working group	w/c 31 October 2022
Revised draft Policy to members of working group	w/c 14 November 2022
Determine if a second meeting of the working group is required	w/c 21 November 2022
If required – second meeting of working group	w/c 28 November 2022
If required – revised draft Policy to members of the working group	w/c 5 December 2022
Working group agree consultation start date	w/c 28 November 2022 12 December 2022*
12-week consultation starts	w/c 5 December 2022 19 December 2022*
Consultation ends	w/c 6 March 2023 20 March 2023*
Working group meets to consider consultation responses	w/c 20 March 2023 3 April 2023*
Purdah	March/April 2023
Local Elections	May 2023
Revised Taxi Licensing Policy to L&R Committee for consideration and recommendation to Council	First meeting after the local elections
Revised Taxi Licensing Policy to Council for approval	First meeting after L&R Committee

* if second meeting is required

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Licensing and Regulatory Committee

4 October 2022

Report of the Director – Environment, Transport and Planning

Use of NR3 database**Summary**

1. This report seeks Member approval to use the National Register of Refusals and Revocations (known as the 'NR3 database') which is hosted by the National Anti-Fraud Network (NAFN) as part of its checks on new and existing taxi drivers to determine whether they are 'fit and proper' to hold a drivers licence, and to provide details of drivers the council has suspended, revoked etc. to other taxi licensing authorities to aid their licensing decisions.

Recommendations

2. In accordance with option one below that
 - i) That the council use the NR3 database as part of the 'other records and information' it uses under the existing Taxi Licensing policy to help determine whether a person is fit and proper' to hold a hackney carriage or private hire driver licence.
 - ii) That the council populates the NR3 database with details of all drivers who have had hackney carriage or private hire drivers licences refused, suspended, not renewed or revoked (in so far as such records are held)

Reason: To help fulfil the Council's impending legal obligations under the Taxis and the Private Hire Vehicles (Safeguarding and Road Safety) Act 2022.

Background

3. Licensing authorities are required to satisfy themselves that anyone holding a private hire and/or hackney carriage driver licence is 'fit and proper' to do so. This is carried out, firstly during

the determination of an application for a licence, and then periodically through the duration of a licence. When evidence is obtained that suggests that a licensed individual is not a 'fit and proper person' the licensing authority is entitled to suspend, revoke or refuse to renew a licence.

4. At present, as part of the application process, potential drivers are asked to 'self-verify' that they have not had a driver's licence refused or revoked by another authority. It is important to stress that this is in addition to checks for previous convictions, cautions, warnings etc undertaken as part of a DBS check.
5. Appendix 9 of the City of York Council's current licensing policy states:-

'the Council can consider convictions and cautions but also other outcomes of actions taken by the Police, other agencies and the Civil Courts.

***The Council is also entitled to use other records and information including any complaints history that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the Council or other Councils and information disclosed by the police under the Home Office scheme for reporting offences committed by notifiable occupations.'* [Emphasis in bold added]**

6. In July 2020, when the Local Authorities were grappling with the coronavirus restrictions, the Department for Transport issued the I Statutory Taxi & Private Hire Vehicle Standards under the Policing and Crime Act 2017 At paragraph 1.3, it states '*The Department expects these recommendations to be implemented unless there is a compelling local reason not to*'.
7. At paragraph 4.21, the guidance goes on to state that '*Tools such as NR3 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.*'
8. On 22 February 2021, Members of this committee received a report about the statutory Standards, including the recommended use of the NR3 database. Members resolved that officers undertake consultation on changing the taxi licensing policy to introduce these and other requirements. Having dealt with a host of other matters relating to taxis in the last year, including

gathering information to help propose revisions for consultation, an accompanying report on this meeting's agenda outlines a plan to begin that process.

9. However, in respect of NR3, we have in any event been overtaken by events. In June 2021, a Private Members' bill received its first reading to put the NR3 database on a specific statutory footing. The resulting Taxis and the Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received royal assent on 31 March 2022 and requires licensing authorities in England to input, into a central database, instances where the authority has *refused, suspended, chosen not to renew or revoked* a taxi or private hire driver's licence based wholly or in part on information relating to the driver concerning safeguarding or road safety. Although not yet specified, clearly NR3 database is intended for this purpose. We are anticipating an announcement that NR3 is that database and that the legal requirement to use it therefore arises at any moment.
10. Since this announcement, officers have put in place the necessary mechanisms including data sharing agreements to enable its use.
11. As noted, Officers are also required to provide the NR3 database details of all drivers who have had hackney carriage or private hire drivers licences refused, suspended, not renewed or revoked. As such, officers have prepared a letter which can be sent to all affected persons (to their last known address) explaining that their details will be entered on to the database. The letter will advise drivers of the details that will be notified and the process to amend or appeal the submission of that data. Please note, the legal requirement is to include details of all revocations etc. within the last 25 years. In accordance with the Council retention policy our records go back to 2016.
12. Officers have also amended the Taxi Licensing Privacy Notice, giving details of how our information is shared in preparation for the impending changes.

Consultation

13. The purpose of this report is to note that due to the expected imminent legal requirement to use the NR3 database consultation on this matter is no longer applicable.

Options

14. Option 1 – In advance of the impending legal requirement determine:
 - i) That the council use the NR3 database as part of the ‘other records and information’ it uses under the existing Taxi Licensing policy to help determine whether a person is fit and proper’ to hold a hackney carriage or private hire driver licence.
 - ii) That the council populates the NR3 database with details of all drivers who have had hackney carriage or private hire drivers licences refused, suspended, not renewed or revoked (in so far as such records are held).
15. Option 2 – undertake the planned consultation on this requirement as initially intended.

Analysis

16. Option 1 ensure that we will meet the impending legal requirements when the imminent announcement that it is now a statutory requirement to use the NR3 database. Option 2 will mean that the decisions will not be made until after the consultation process is complete. The results of which are almost certainly academic in the likely event that it becomes a statutory requirement to use the NR3 database.

Council Priorities

12. The use of the NR3 database will support the Council’s priorities in respect of the following:
 - Safe communities and culture for all.

Implications

13. The direct implications arising from this report are:
 - (a) **Financial** – There are no financial implications for the council, officers already have access to the NAFN database on which NR3 is hosted to record Trading Standards breaches

- (b) **Human Resources (HR)** - There are no HR implications, the duties will be met from existing resources.
- (c) **Equalities** – An equalities impact assessment is not required as this report is notifying members of an impending legal requirement.
- (d) **Legal** – The legal implications are contained in this report.
- (e) **Crime and Disorder** – There are no crime and disorder implications.
- (f) **Information Technology (IT)** – The database is hosted by NAFN, and the appropriate data sharing agreements are now in place.
- (g) **Property** - There are no property implications.
- (h) **Other** - There are no other implications.

Risk Management

14. Using the Council's risk matrix, failing to adopt the NR3 database and licensing a driver who has been refused etc. a licence elsewhere could have a major impact with a small group of all taxi users affected for 6 months or more and national media coverage. This risk is 'possible' creating an overall risk score of 19 (an orange risk). Implementing the database with immediate effect reduces the impact to 'remote' creating an overall risk score of 12 (a yellow risk).

Contact Details

Author:
Matt Boxall
Head of Public Protection

Chief Officer Responsible for the report:
James Gilchrist
Director Environment, Transport and Planning

**Report
Approved**

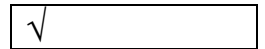


Date 26/09/2022

Specialist Implications Officer(s)

Wards Affected:

All



For further information please contact the author of the report

Background Papers

Taxi Licensing Policy

<https://www.york.gov.uk/downloads/download/54/taxi-licensing-policy>

Abbreviations

NAFN - National Anti-Fraud Network, hosted by Thameside MBC
NR3 database – National Register of Refusals and Revocations