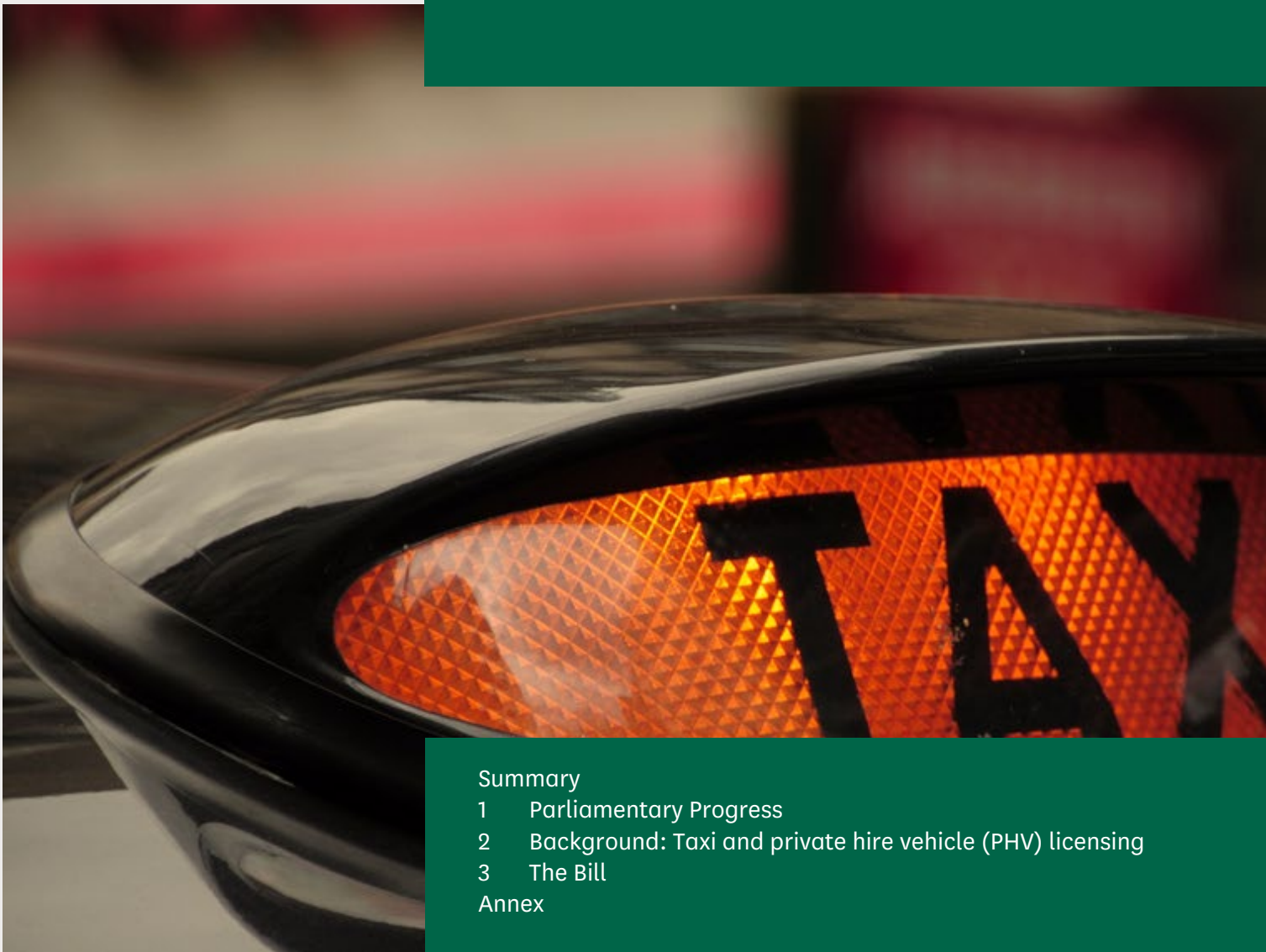


By Dr Roger Tyers

17 December 2021

Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill 2021-22: Progress of the Bill



Summary

- 1 Parliamentary Progress
- 2 Background: Taxi and private hire vehicle (PHV) licensing
- 3 The Bill

Annex

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Summary

The [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill 2021-22](#) is a Private Members' Bill sponsored by Peter Gibson, Conservative MP for Darlington, who came ninth in the ballot for Commons Private Members' Bills for the 2021-2022 session. The Bill had its First Reading on 16 June 2021, and passed its Second Reading without a division on 10 September 2021. The Bill passed Committee stage without amendment on 3 November. It will have its Report Stage and Third Reading on 21 January 2022.

The [explanatory notes for the Bill](#) were drafted by the Department for Transport. The Bill would have practical effect only in England.

In substance, the Bill is essentially the same as the [Licensing of Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill](#), which was also a Private Members' Ballot Bill sponsored by Daniel Zeichner MP in the 2017-19 Parliament. That Bill did not progress beyond second reading.

What does the Bill do?

This Bill seeks to improve the safety of taxi passengers. The problem the Bill seeks to resolve is one of where licensing authorities might revoke the licences of drivers for wrongdoing, only for the driver to obtain a licence from another authority, and then be able to continue working, potentially in the former licensing authority area.

It aims to address this problem in two ways. First, it would mandate local licensing authorities to record taxi licence refusals, revocations and suspensions on a national database, which other local licensing authorities would be required to consult before making licence decisions about the same driver. This would create a statutory footing for the 'National Register of Taxi and Private Hire Licence Revocations and Refusals' (NR3), which was commissioned by the Local Government Association and introduced July 2018, and is already used by most, but not all, licensing authorities on a voluntary basis.

Second, it would allow local authority enforcement teams to report instances of wrongdoing by taxi drivers to the authority in which the offender is licensed. The licensing authority must then have regard to such a report and respond to it.

1 Parliamentary Progress

First Reading of the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill 2021-22¹ was on 16 June 2021. The Bill passed Second Reading on 10 September 2021 without a division, and passed Committee stage unamended on 3 November 2021. It is due to go to Report stage and Third Reading on 21 January 2022. Its long title is as follows:

A Bill to make provision about licensing in relation to taxis and private hire vehicles for purposes relating to the safeguarding of passengers and road safety; and for connected purposes.

This is a Private Members' Bill sponsored by Peter Gibson, Conservative MP for Darlington, who came ninth in the ballot for Commons Private Members' Bills for the 2021-2022 session.² The explanatory notes for the Bill were drafted by the Department for Transport.³

The text of this Bill is near identical to the Licensing of Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill 2017-19, which was a Private Members' Bill tabled by Labour MP Daniel Zeichner⁴.

1.1 Second Reading Debate

The Bill received its Second Reading on Friday 10 September 2021. It was passed without division and all members who spoke, from Labour and Conservative parties, gave it their support. Peter Gibson introduced the Bill's purpose – to protect passengers, provide consistency across licencing authorities, and detect 'sub-ciminal' misconduct – as follows:

This Bill has a very simple purpose, which is to ensure that only those fit to hold a licence are entrusted to carry the public. It will enhance public safety by mandating the sharing of relevant and necessary information. Simply put, better decisions are made when more information is available...

Just under 343,000 taxi and private hire vehicle driver licences are currently issued in England. Decisions on licensing are made by 276 licensing authorities. In each case, the authority must reach a decision as to whether a person is fit and proper. Although this is not defined in law, there is, by and large, consistency in safety-related criteria and processes. All licensing

¹ [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill 2021-22](#)

² [Private Members' Bill ballot: 20 May 2021](#)

³ DfT, Peter Gibson to Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill 2021-22 [Explanatory Notes Bill 22-EN](#) 16 June 2021

⁴ [Licensing of Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill](#) Session 2017-19

authorities require an enhanced Disclosure and Barring Service criminal background check, and virtually all have the enhanced DBS checks carried out. This is reassuring, but it is only part of the picture.

There will be many cases across the country where the conduct of an individual has been unacceptable. However, these incidents might not result in the involvement of the police, let alone a prosecution or conviction. Some incidents may potentially be a criminal offence, but I am sure we all accept that not every crime reported ends with a conviction. That is not to say these incidents did not happen.⁵

Issues raised by other members during the debate included:

- **Protection of taxi drivers from vexatious accusations⁶**, where ‘relevant information’ about misconduct could be so broad that drivers could find they lose their licence (and their ability to work in neighbouring authorities) without good reason. This issue was raised by Angela Richardson (Conservative). In response, other members pointed out that licensing authorities already have licensing panels that hear evidence (including from drivers) and there are existing appeals processes available if claims about misconduct are disputed.⁷ None of these existing processes would be removed by the Bill.
- **The need for systems of redress** if a driver is impugned unfairly on the database, was raised by Simon Fell (Conservative).⁸ The Transport Minister Chris Heaton-Harris committed to providing a response to this concern in writing.⁹
- **The need for the Government to go beyond this Bill**, to implement other recommendations of the Task and Finish Group report (see Section 2.2), especially on national minimum standards that are legally enforceable, and ways to address cross-border licensing whereby ‘out-of-area’ taxi drivers obtain a licence in one area but operate in another. These issues was raised by Sam Tarry (Labour).¹⁰

Speaking for the Government, Parliamentary Under Secretary of State at the DfT Chris Heaton-Harris gave the Bill the Government’s support, and confirmed that the Government plans to introduce further reforms regarding national minimum when Parliamentary time allows:

The Government attach the utmost priority to passenger safety in taxis and PHVs, so we are happy to support the Bill. The licensing process gives the travelling public confidence that the vehicles in which they travel are safe and that drivers have had proper background checks [...]

Last year, the Government published the statutory taxi and private hire vehicle standards, outlining how licensing authorities should carry out their licensing function to safeguard children and vulnerable adults, although the

⁵ HC Deb [10 September 2021 c596](#)

⁶ HC Deb [10 September 2021 c612](#)

⁷ HC Deb [10 September 2021 c598](#)

⁸ HC Deb [10 September 2021 c616](#)

⁹ HC Deb [10 September 2021 c619](#)

¹⁰ HC Deb [10 September 2021 c606](#)

recommendations will obviously benefit all passengers. The Department is working with licensing authorities to monitor implementation and good progress is being made [...]

The Bill does not seek to address every issue that has been raised today. Members have expressed concerns about whether allegations or vexatious campaigns against drivers could lead to a driver losing his licence unduly; if I may, I will reply to those concerns in writing, through my hon. Friend the Member for Darlington, to give Members the assurance they seek.

I assure the House that the Government remain committed to introducing legislation, when parliamentary time allows, to introduce national minimum standards, national enforcement powers and a national licensing database. That database will build on the proposals in the Bill by extending the database to include the details of all driver, vehicle and PHV operator licences, as well as information on refusals, revocations and suspensions.¹¹

1.2 Committee Stage

The Bill was debated in a public bill committee on Wednesday 3 November 2021.¹² All nine clauses of the Bill were ordered to stand part of the Bill, without amendment.

One amendment was tabled by Sam Tarry (Labour) but was withdrawn without a division. This amendment would have amended clause 1 of the Bill to define instances of poor driving by a taxi driver, which would count as part of the ‘relevant information’ that would be collected and stored on a national database under the provisions of the Bill.

Sam Tarry said “this amendment would provide that a driver’s “risk to road safety while driving” is assessed in line with DVLA standards and not the individual assessment of the licensing authority.”¹³ The member went on to argue that using national DVLA standards to assess what constitutes poor driving would be more consistent than using licensing authorities’ definition of it. However, Trudy Harrison, Parliamentary Under Secretary of State at the DfT, said that the purpose of Clause 1 of the Bill was not to change how licensing authorities define poor driving when considering suspending or revoking a licence, but to define which kinds of decisions should be recorded on a database. She went on to clarify how the Bill would be implemented were it to become law, as follows:

The broad description of road safety that is in use already would seem sufficient, as all decisions made in relation to road safety should be available for authorities to review when making their decisions [...]

¹¹ HC Deb [10 September 2021 c619](#)

¹² The transcript of the debate is available in Hansard: [Taxis and Private Hire Vehicles \(Safeguarding and Road - Hansard - UK Parliament\)](#). The composition of the committee is listed in the Annex to this paper.

¹³ [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill Deb](#) 3 November 2021 c4

The guidance that the Government will produce, should the Bill make it to the statute book, would clarify the terms in more detail for the licensing authorities, so that they are clear what decisions relating to road safety and other relevant information should be recorded on the database. For those reasons, the Government will resist the amendment.¹⁴

Several members called for the Government to act on other recommendations that emerged from the Task and Finish Group report (mentioned in Section 2.2), which are not part of this Bill, particularly around taxi drivers working ‘out-of-area’, and national minimum standards for taxi drivers. Several members also mentioned the problem of taxi drivers (and others convicted of crimes) evading DBS checks, by changing their name by deed poll and completing a new DBS with their new name. The Minister committed to taking up this issue with the Home Office.¹⁵

¹⁴ [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill](#) Deb 3 November 2021 c5

¹⁵ [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill](#) Deb 3 November 2021 c17

2 Background: Taxi and private hire vehicle (PHV) licensing

2.1 Legislation for taxi and PHV licensing

Taxi and PHV licensing is a devolved policy area. In England and Wales, licences are issued under the Town Police Clauses Act 1847¹⁶ as amended by the Local Government (Miscellaneous Provisions) Act 1976¹⁷. While taxi and PHV licensing is a devolved matter under the Wales Act 2017, the Welsh Government has said that until the Welsh Government introduces new legislation, the current licensing legislation that applies to England and Wales will continue to apply.¹⁸

The term ‘taxi’ is used throughout this briefing paper and refers to both ‘hackney carriages’ and pre-booked ‘private hire vehicles’ (PHVs). In granting a taxi driver's licence the authority is required to satisfy itself that the applicant is a ‘fit and proper’ person. This expression is not defined in statute and its interpretation is for each council to decide. Authorities may make byelaws covering such matters as fares and taxi ranks.

A number of licensing authorities across England have adopted conditions of fitness identical or similar to those imposed in London (due to London having a longer history of taxi licensing)¹⁹ and only allow drivers and vehicles that meet them to be licensed in their areas. This can involve:

- a criminal record check;
- a comprehensive topographic examination;
- a medical;
- a driving test; and/or
- a check on the financial standing of prospective proprietors.

There is no statutory requirement for local authorities to carry out a criminal record check before issuing a licence to a taxi driver. However, the requirement to ensure that an applicant is a ‘fit and proper person’ means many authorities do, in fact, require such a check. Statutory guidance issued

¹⁶ [Town Police Clauses Act 1847](#)

¹⁷ [Local Government \(Miscellaneous Provisions\) Act 1976](#)

¹⁸ Welsh Government [Taxi and private hire vehicles: licensing guidance](#) March 2021

¹⁹ See TfL: [Licensing](#); Transport for London (TfL) licenses taxi drivers under the [London Cab Order 1934](#), and PHV drivers under the [Private Hire Vehicles \(London\) Act 1998](#)

by the DfT recommends that licensing authorities require enhanced DBS criminal record checks from drivers, every six months.²⁰

This Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill would require the sharing of information on a driver's behaviour which might be 'inappropriate' and relevant to their responsibilities carrying passengers, but may not have been subject to a criminal prosecution.²¹

2.2

The 'Task and Finish Group' Report

In 2017, the 'Task and Finish Group on Taxi and Private Hire Vehicle Licensing', was convened by the Department for Transport (DfT). It was chaired by Professor Mohammed Abdel-Haq and comprised cross-party MPs and experts from across industry, trade unions, and other stakeholder groups. Its remit was:

To consider evidence relating to the adequacy of current taxi and private hire vehicle (PHV) licensing authority powers, as set out in legislation and guidance, and to make recommendations for actions to address any priority issues identified.²²

The Task and Finish Group report (the 'TFG report') was submitted to the DfT in July 2018.²³ Among its 34 recommendations, two argued for a national register to be created which would keep a record of (a) all licensed taxi and PHV drivers, vehicles and operators, and (b) all refusal or revocation decisions of taxi or PHV driver licences:

- Recommendation 23
All licensing authorities must use the National Anti-Fraud Network (NAFN) register of drivers who have been refused or had revoked taxi or PHV driver licence. All those cases must be recorded, and the database checked for all licence applications and renewals. Licensing authorities must record the reasons for any refusal, suspension or revocation and provide those to other authorities as appropriate. The Government must, as a matter of urgency, bring forward legislation to mandate this alongside a national licensing database (recommendation 24).
- Recommendation 24

²⁰ DfT [New standards to improve safety for taxi and private hire vehicle passengers](#) 21 July 2020

²¹ For further information see Commons Library Briefing Paper SN-02005 [Taxi and private hire vehicle licensing in England](#) November 2018

²² DfT [Government Response to the report of the Task and Finish Group on taxi and private hire vehicle licensing](#) February 2019

²³ Task and Finish Group [Taxi and Private Hire Vehicle Licensing: Steps towards a safer and more robust system](#) July 2018

As a matter of urgency Government must establish a mandatory national database of all licensed taxi and PHV drivers, vehicles and operators, to support stronger enforcement.²⁴

The register referred to in Recommendation 23 - of licence refusals, revocations and suspensions - currently exists on a voluntary basis, and is called the 'National Register of Taxi and Private Hire Licence Revocations and Refusals' (NR3). It was commissioned by the Local Government Association (LGA) and launched in July 2018. It is maintained by the National Anti-Fraud Network (NAFN). NAFN is a service, hosted by Tameside council, which supports public authorities to tackle fraud and share intelligence.²⁵ However, licensing authorities are not obliged to use the NR3 register and not all do. Currently, around 90 per cent of licensing authorities are registered with the NR3 register according to the LGA.²⁶ NAFN requires licensing authorities wishing to use NR3 to sign a data sharing agreement which outlines the procedures and legal basis for its use.²⁷

The TFG Report says that full coverage i.e. the involvement of all licensing authorities²⁸, is necessary for the full benefits of such a register to function properly. The report expresses regret that the Private Members Bill sponsored by Daniel Zeichner MP in the 2017-19 Parliament²⁹, which would have placed this register on a statutory footing "failed to pass its Second Reading in the House of Commons on 2 February". That Bill was supported by the Government, see Section 2.3 below.³⁰

2.3

Government 2019 response

The Government's 2019 response to the TFG Report noted that there was no existing mechanism for the sharing of information about licence revocations or suspensions between licensing authorities, and that making such history was important so authorities were fully informed when making their own licence decisions. It also expressed its support for the voluntary NR3 register, and the Private Members Bill brought by Daniel Zeichner MP in the 2017-19 Parliament which would have placed this register on a statutory footing.

3.23 It is important that licensing authorities who are making a decision on whether to grant a taxi or PHV driver licence can do so in possession of all

²⁴ Task and Finish Group [Taxi and Private Hire Vehicle Licensing: Steps towards a safer and more robust system](#) July 2018

²⁵ Local Government Association [National Register of Taxi and Private Hire Licence Revocations and Refusals \(NR3\)](#)

²⁶ Ibid.

²⁷ NAFN [Data sharing agreement in relation to the National Register of Hackney and Private Hire Vehicles \(PHV\) Revocations and Refusals](#)

²⁸ There are currently 284 Licensing Authorities in England according to DfT [Taxi and Private Hire Vehicle Statistics, England: 2020](#) December 2020

²⁹ [Licensing of Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill](#) Session 2017-19

³⁰ Section 4.20, Task and Finish Group [Taxi and Private Hire Vehicle Licensing: Steps towards a safer and more robust system](#) July 2018

relevant facts, including whether the applicant has been refused or lost a licence in another area because of safety concerns. At present, there is no data sharing mechanism to make sure that such history is disclosed to them.

3.24 The Government supports the Private Members' Bill brought by Daniel Zeichner MP that would mandate licensing authorities to use such a database. The Government also welcomes the initiative of the LGA in setting up a voluntary database of drivers who have been refused or revoked licences. Any information obtained using data sharing methods like this must be used as an aid to local, independent decision making.

3.25 In the longer term, the Government intends that information about drivers who have had licences refused or revoked would be one part of the wider-ranging national database...³¹

As stated in Section 1.1 above, that Private Members Bill brought by Daniel Zeichner failed to pass its second reading. Since then, the Government has not brought forward its own Bill on this issue, or on the 'wider-ranging' national database of all taxi registrations which the TFG Report also called for. Responding to a Parliamentary Question on 25 February 2021 regarding progress on implementing the TFG Report, Transport Minister Rachel Maclean said:

The Government will continue to engage with the sector on our plans for reforming the regulation of taxis and private hire vehicles, including options to introduce new legislation. The Department is supporting licensing authorities to make use of their extensive existing powers through the Statutory Taxi and Private Hire Vehicle Standards issued last year³² and will consult on updated best practice guidance later this year.³³

The Government drafted the explanatory notes to the Bill.

2.4 The Licensing of Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill 2017-19

The Licensing of Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill 2017-19 was a Private Members Bill tabled by Labour MP Daniel Zeichner³⁴. The Bill fell at Second Reading, despite having Government support. At that second reading debate on 2 February 2018³⁵, Daniel Zeichner explained the rationale for the Bill as follows:

³¹ DfT [Government Response to the report of the Task and Finish Group on taxi and private hire vehicle licensing](#) February 2019

³² DfT [Statutory taxi and private hire vehicle standards](#) 21 July 2020

³³ [PQ 154663](#) [on Taxis: Licensing], 25 February 2021

³⁴ [Licensing of Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill](#) Session 2017-19

³⁵ HC Deb [2 February 2018 c1170](#)

Councils have revoked the licences of drivers only to find that they go elsewhere, get a licence from another authority and are back working the same streets, sometimes within days. That cannot be right. The local authority with lower standards has no way of knowing about previous refusals, if the driver in question does not choose to tell them. Ultimately, this leaves all of us exposed to harm and deprives local authorities of control over their own streets...

Local council enforcement officers can enforce only against those who are licensed in their own local authority. This means not only that drivers trying to game the system can work where they please, but that they are too often exempt from many enforcement powers. The system renders responsible councils trying to tackle problems in their areas helpless in the face of drivers coming from outside and operating under lower standards.³⁶

Issues raised by other members during the debate included:

- **Cross-border licensing** whereby ‘out-of-area’ taxi drivers obtain a licence in one area but operate in another. The Private Members Bill was not intended to address this issue, but, some members noted that it could alleviate the specific problem of drivers ‘gaming’ the system, whereby if their licence is revoked in one authority, they can obtain another licence in a neighbouring one and are then able to work in the former licensing area again.³⁷
- **Proportionality** in the legislative response to the problem, in that it goes too far from the existing test of being a ‘fit and proper person’ to obtain a private hire vehicle or taxi licence.³⁸
- **The definition of ‘relevant information’** required for inclusion on the national database. Specifically, that the definition presented was drawn so widely that it could lead to discrimination against some drivers and them losing their ability to work.³⁹

³⁶ Ibid.

³⁷ HC Deb [2 February 2018 c1171](#)

³⁸ HC Deb [2 February 2018 c1173](#)

³⁹ HC Deb [2 February 2018 c1176](#)

3

The Bill

The aim of the Bill is to mitigate the risk that unsuitable people are granted or hold a taxi or private hire vehicle driver licence. To achieve this aim, the Bill would require taxi and private hire vehicle licensing authorities in England to:

- Share information of recent adverse licensing history (e.g. refusals, suspensions or revocations of a licence) into a central database (**Clauses 1 and 2**);
- Consider the information contained within the central database as part of the licensing process (**Clause 3**);
- Report certain serious safeguarding or road safety concerns about a taxi or PHV driver working in its area to the licensing authority in England, Wales or Scotland that granted a licence to that driver (**Clauses 5 and 6**).

The Bill would also provide the Secretary of State with powers to:

- Designate a person to host the database, and make that database available to all licensing authorities in the UK (**Clause 4**); and issue statutory guidance for the purposes of this Act, that licensing authorities must have regard to (**Clause 7**).

3.1

Clause 1: Defining ‘Relevant Information’

Clause 1 of the Bill defines the ‘relevant information’ that must be collected and stored under clause 2. ‘Relevant information’ would indicate whether a taxi driver is known to: have committed sexual offences (whether they have been charged or not); have harassed, caused physical or psychological harm, threatened, abused or insulted another person; have posed a risk to road safety when driving; or be unsuitable to hold a driver’s licence for other reasons relating the safeguarding of passengers, or road safety. Sub-section 1(2) notes that any reference made in subsection (1) to an offence includes a reference to an attempt to commit the offence, or conspiracy to commit the offence.

3.2

Clause 2: Recording refusal decisions and relevant information in Database

Clause 2 would mandate licensing authorities to record decisions of refusals of new or renewal applications; suspensions; or revocations of licences where those decisions are made wholly or in part on relevant information as defined in Clause 1. In order that the database is kept up to date, such decisions must be recorded on the database within 5 days of the decision.

If there are subsequent changes to a decision in the following 11 years⁴⁰ (i.e. due to the authority changing their decision, or following an appeal), these changes must be recorded on the database as soon as possible after the change has been confirmed. Clause 2 would provide that all decisions recorded on the database be accompanied with the following information:

- a) the person's full name, date of birth, home address and national insurance number,
- b) if the person holds a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988, the driver number shown on the licence,
- c) if the person holds a Northern Ireland driving licence, the driver number shown on the licence,
- d) if the person holds a Community licence, the number of the licence,
- e) the name of the licensing authority and details of how further information about the decision can be obtained from the authority,
- f) the date on which the decision was made and (if different) the date on which it takes effect,
- g) the date on which any subsequent change to the decision was made and (if different) the date on which it takes effect,
- h) if the decision is to suspend the person's driver's licence for a period, the date on which the suspension is to end, and
- i) such other information as the Secretary of State may by regulations made by statutory instrument prescribe.

3.3

Clause 3: Duty to search the database

Under **Clause 3**, when an authority (the 'first authority') is considering issuing or renewing a licence to a person, the Bill would require them to search the database for entries about that person. If a match is found, the first authority would be required to contact the 'second authority' to request relevant information which the second authority used when making the decision. The second authority must respond within twenty days to this request.

⁴⁰ The requirement to store data for 11 years is a change from the 2018 Bill which would have required data to be stored for 7 years.

3.4 Clauses 4 and 7: Powers and duties for the Secretary of State

Clause 4 provides the Secretary of State with powers to provide, or designate persons to maintain, the database. The person maintaining the database :

- must ensure every UK licensing authority can access the database to make, amend, remove and reinstate entries;
- must ensure that records are deleted after 11 years;
- must ensure information is released only for the purposes of ensuring safeguarding of passengers or road safety;
- may charge a fee to users of the database, but only where the Secretary of State has agreed the level of fees in advance

Clause 7 would allow the Secretary of State to issue statutory guidance to licensing authorities in relation to their functions under this Act, which licensing authorities must have regard to.

3.5 Clauses 5 and 6: ‘out-of-area’ driving

Clauses 5 and 6 have regard to ‘out-of-area’ driving whereby a licensed taxi or PHV driver may fulfil pre-booked journeys anywhere in Great Britain, not just the area in which their licence was issued. For such ‘out of area’ journeys licensing authorities are unable to take action against the licence of the taxi or PHV driver issued by a different licensing authority. **Clauses 5 and 6** would not change this entitlement to provide services ‘out of area’ but would require licensing authorities in England to report certain serious safeguarding or road safety concerns about licensed drivers to their home licensing authority.

Clause 5 would require a first authority to notify a second authority of ‘relevant information’, if it becomes aware of poor conduct by a driver operating in its area with a licence issued by a second authority. Poor conduct is defined as that which the “first authority is satisfied that, had it granted the licence, it would have considered suspending or revoking it in reliance on the information.” The first authority would be required to make this notification within ten working days of becoming aware of the conduct.

Clause 6 would require the second authority to respond to a notification (under Clause 5) from the first authority within twenty days, and indicate whether or not it has suspended or revoked the driver’s licence (or intends to), and the reasons for that (intended) action.

3.6

Clause 9: Territorial extent and commencement

The Bill would extend to England and Wales, but applies in England only. Any licensing authority in England would be required to record relevant information and licence revocation decisions (under Clauses 1 and 2) on the national database, as well as notifying any ‘second authority’ (including those in Wales or Scotland) of poor conduct by a driver operating in its area (under Clause 5). The database could be consulted by licensing authorities in Scotland and Wales as well as in England, but under this Bill only licensing authorities in England would be compelled to record information on it, or respond to notifications raised from ‘first authorities’ under Clause 6.

The table below summarises the commencement date for the relevant provisions in the Bill.

Commencement dates in the Bill		
Day the Bill is passed	2 months after the Bill is passed	On a date specified in Regulations
Clause 1		
The power of the Secretary of State to make regulations under clause 2	The power of the Secretary of State under clause 4 in relation to designating someone to operate the database	Remaining provisions of this Bill
The powers of the Secretary of State in relation to the issuing of guidance under clause 7	Clauses 5 and 6 the remainder of clause 7	
Clauses 8 and 9.		

Annex

Composition of Public Bill Committee, Wednesday 3 November 2021

Chair: Hannah Bardell

† Bailey, Shaun (West Bromwich West) (Con)

† Buckland, Robert (South Swindon) (Con)

† Champion, Sarah (Rotherham) (Lab)

† Cruddas, Jon (Dagenham and Rainham) (Lab)

Eagle, Maria (Garston and Halewood) (Lab)

Gibson, Patricia (North Ayrshire and Arran) (SNP)

† Gibson, Peter (Darlington) (Con)

† Harrison, Trudy (Parliamentary Under-Secretary of State for Transport)

† Hayes, Sir John (South Holland and The Deepings) (Con)

† Jenkinson, Mark (Workington) (Con)

† Johnson, Dr Caroline (Sleaford and North Hykeham) (Con)

† Nici, Lia (Great Grimsby) (Con)

Osborne, Kate (Jarrow) (Lab)

† Tarry, Sam (Ilford South) (Lab)

† Trott, Laura (Sevenoaks) (Con)

Young, Jacob (Redcar) (Con)

† Zeichner, Daniel (Cambridge) (Lab)

Adam Mellows-Facer, Committee Clerk

† attended the Committee⁴¹

⁴¹ [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Bill](#) Deb 3 November 2021 c1

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