

HIGH PEAK BOROUGH COUNCIL

Licensing Committee

7 November 2019

TITLE:	The Air Quality (Taxi and Private Hire Vehicles Database) (England and Wales) Regulations 2019
EXECUTIVE COUNCILLOR:	Councillor Sloman - Executive Councillor for Housing and Licensing
CONTACT OFFICER:	Alicia Patterson – Head of Environmental Health
WARDS INVOLVED:	

Appendix A – The Air Quality (Taxi and Private Hire Vehicles Database) (England and Wales) Regulations 2019

Appendix B – Statutory Guidance

Appendix C – Memorandum of Understanding

1. Reason for the Report

- 1.1 To inform Members of a new statutory requirement being placed on all Local Authorities to submit information to the Department for Environment, Food and Rural Affairs (DEFRA) for the purposes of maintaining a database in relation to all Hackney Carriage and Private Hire Vehicles licensed by them

2. Recommendation

- 2.1 To note the new statutory provisions of the Air Quality (Taxi and Private Hire Vehicles Database) (England and Wales) Regulations 2019, and associated statutory guidance.
- 2.2 That delegated authority is granted to the Head of Environmental Health to sign the memorandum of understanding and submit the required data.

3. Executive Summary

- 3.1 The Air Quality (Taxi and Private Hire Vehicles Database) (England and Wales) regulations 2019 (“the regulations”) came into force on 1st May 2019. The purpose of the Regulations is to place a statutory duty on all Licensing Authorities in England and Wales to submit specific data to DEFRA on a regular basis for the purpose of creating and maintaining a national database

of all licensed vehicles. A copy of the Regulations is attached as Appendix A. The data to be provided and contained in the database is:

- The Vehicle Registration
- The issue date of the licence
- The expiry date of the licence
- Whether the vehicle is a taxi (Hackney Carriage) or a Private Hire Vehicle (PHV)
- The name of the issuing Authority
- The licence number
- Whether the vehicle is Wheelchair Accessible

3.2 On 18th July 2019 DEFRA published statutory guidance (the guidance) to assist licensing authorities in implementing the Regulations. It provides details of the data that the council will be required to submit to DEFRA and advice on how the data will be managed in compliance with Data Protection legislation, the background for DEFRA creating the database is contained with the guidance. A copy of the guidance is attached as Appendix B.

3.3 The guidance suggests that the database should be ready for local authorities to start submitting data before the end of October 2019; however DEFRA's preferred method of data transfer, via a fully integrated API, is unlikely to be ready before the end of 2019. DEFRA have produced a draft technical specifications document to data transfer which has been forward to the Councils IT department for comment.

4.0 **Options**

4.1 That members note the new statutory provisions of the Air Quality (Taxi and Private Hire vehicles Database) (England and Wales) Regulations 2019, and associated Statutory Guidance) in addition the requirement it places on the Authority as a statutory duty to submit the specified data to DEFRA on a regular basis for the purpose of creating and maintaining a national database of all licensed vehicles.

4.2 That delegated authority is granted to the Head of Environmental Health to sign the memorandum of understanding and submit the data as and when required by DEFRA.

5. **How this report links to Corporate Priorities**

5.1 Supporting our communities to create a healthier, safer, cleaner High Peak

6. **Implications**

6.1 Community Safety – (Crime and Disorder Act 1998)

The appropriate enforcement of licensing legislation in partnership with relevant agencies is a key tool in assuring the maintenance of community safety.

6.2 **Workforce**

None arise directly from this report

6.3 **Equality and Diversity/Equality Impact Assessment**

This report has been prepared in accordance with the Council's Diversity and Equality Policies

6.4 **Legal**

The requirement of this legislation places a duty on the authority to comply with the statutory requirements and relevant guidance.

6.5 **Sustainability**

None arise directly from this report

6.6 **Internal and External Consultation**

None arise directly from this report

6.7 **Risk Assessment**

None arising from the report

Mr Mark Trillo
Executive Director (People) and Monitoring Officer

Web Links and Background Papers

Appendix A, B & C

Contact details

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