

Report to Environment and Licensing Committee

Subject: The Air Quality (Taxi and Private Hire Vehicles Database) (England and Wales) Regulations 2019 – Memorandum of Understanding

Date: 14 January 2020

Author: Report of the Community Protection Manager

Purpose

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.

Recommendation(s)

THAT:

- 1) 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.**
- 2) Members note the obligations placed on the Council under the Regulations as outlined in the Memorandum of Understanding, signed by the Community Protection and Pollution Control Manager.**

1 Background

- 1.1 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 at 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

- 1.2 On 18 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 online guidance is attached at Appendix B.
- 1.3 The guidance suggests that the database should be ready for local authorities to start submitting data before the end of 2019. DEFRA have produced a draft technical specifications document to data transfer; a final specification has yet to be released.
- 1.4 DEFRA have produced a Memorandum of Understanding outlining the terms by which the data will be submitted which is attached at Appendix C. This was required to be signed and returned to DEFRA by 13 December 2019.

2 Proposal

It is proposed that Members;

- 2.1 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.

- 2.2 To note the obligations placed on the Council under the Regulations as outlined in the Memorandum of Understanding, signed by the Community Protection and Pollution Control Manager, and returned to DEFRA on 9 December 2019.

3 Resource Implications

- 3.1 None

4 Appendices

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

Appendix B – Statutory Guidance

Appendix C – Memorandum of Understanding