

Joint Written Statement – ‘Guide to Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales’. Welsh Government, Welsh Local Government Association, Public Protection Board Wales.

From today, local authorities in Wales will have access to a ‘Guide to Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales’. This non-statutory guidance has been produced jointly between the Welsh Government, the Welsh Local Government Association (WLGA) and representatives of local authorities across Wales via the Directors of Public Protection Wales.

The Guide aims to encourage a more consistent approach to taxi and PHV licensing across Wales with the main focus on promoting safety of the travelling public. Proposed recommendations include standardised licence conditions and collaboration on cross-border enforcement.

The current antiquated licensing legislation and varying standards across Wales has led to some difficulties in safely managing the taxi and PHV trade.

Taxi regulation is devolved, and in 2018 Welsh Government undertook a public consultation on the ‘Improving Public Transport’ White Paper. Many respondents stated that the taxi policy proposals in the paper did not go far enough to address the issues faced by regulators and the taxi industry.

The Guide has been produced to address some of those problems highlighted in the consultation responses. Whilst we acknowledge that some issues will require new legislation, this guide is an important first step to achieving a consistent approach to licensing standards across Wales.

In developing the Guide, care has been taken to ensure that adoption of the recommendations will not incur excessive cost to local authorities or the taxi and private hire industry ahead of the legislative change. Prior to adopting any recommendations within the Guide, and as with all reviews of policy, we would encourage local authorities to assess the impact of any resulting policy changes on their licence holders and relevant stakeholders.

In July 2020 the Department for Transport (DfT) published its statutory Taxi and Private Hire Vehicle Standards, which focus upon protecting children and vulnerable adults.

The Statutory Standards are issued under the Policing and Crime Act 2017 which is not a devolved matter which means that the Standards will have effect in Wales until such time that Welsh Government introduces taxi and PHV legislation.

Due to the overlap between the Standards and the Guide, and as taxi regulation is devolved, the Secretary of State for Transport has confirmed he is content for Welsh Government to monitor compliance with the Department for Transport (DfT) Standards as part of our wider work with policy alignment recommendations.

One of the main priorities of the DfT is local authority use of the national NR3 register. The register is hosted by the National Anti-Fraud network and it is expected that local authorities check the register before issuing a licence, and should enter details of applicants that have been refused a licence or licence holders that have had their licence revoked.

The aim of the register is to ensure that unsuitable individuals are not able to obtain a licence in another local authority area. The overall success of this aim relies on uniform adoption of the register across England and Wales. So far around half of the local authorities in Wales are actively using NR3.

Given the potential public safety risks of not using the NR3 register, we would expect that all local authorities in Wales to be 100% compliant with this requirement within the next 3 months. We would urge any local authority having difficulty with this requirement to contact the WLGA for assistance.

Adoption of the Wales Guide will address many of the recommendations that are required by the DfT standards, in particular around taxi policy content. An early incorporation of the guide into local conditions will ensure that drivers are fit to transport passengers and that this aspect of public transport takes place in a safer environment.

Our organisations will continue to work collaboratively with local authorities to overcome any hurdles to achieving compliance in order to attain a more consistent approach to taxi and PHV licensing across Wales. We will shortly be writing to local authorities to request confirmation of their position on adoption of the recommendations within the Guide (including the DfT standards).

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Cllr Neil Moore, Joint Spokesperson: Public Health and Regulatory Services, Welsh Local Government Association

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