

# NR3 Frequently asked questions

## Former Licence Holders

### Why has the register been set up?

NR3 has been developed to improve public safety and confidence in taxi and PHV licensing. There have been numerous high profile cases where drivers who have been refused licences or had a licence revoked in one area have gone to another area and received a licence in another area by failing to disclose their previous history.

This undermines public safety, if there are legitimate reasons why a licence was refused or revoked, and damages confidence in the hackney carriage / PHV licensing regime and trade.

This is why the initiative has been widely supported by reputable drivers and firms, as it will provide a mechanism for ensuring information about refusals and revocations can be shared between all licensing authorities in a safe and secure way, removing this potential loophole.

### How will the register work - what information will be recorded?

When an authority revokes a licence, or refuses an application for one, it will record this information on NR3. The information recorded will be limited to:

- Name;
- Date of birth;
- Address and contact details;
- National Insurance number;
- Driving licence number;
- Decision taken;
- Date of decision; and
- Date decision effective

Licensing authorities will then search the register when they are processing new applications or renewals. Where an authority finds a match for their applicant on the NR3, it will contact the licensing authority that recorded the entry to seek

more information, which, if shared, will then be used to help reach a decision on the application.

### **Will I automatically be refused a licence if I am on the register?**

No. Licensing authorities are legally required to consider each licence application on its own merits, and cannot refuse an application simply because an applicant may be recorded on NR3. The purpose of the NR3 is to ensure that authorities have the full information necessary to help them reach a decision on whether an individual is fit and proper. If circumstances have materially changed since the decision that has been recorded on the NR3, it may be appropriate for another authority to award a licence.

### **Can I find out if my details are on the NR3?**

Individuals whose details are added to NR3 will be notified of this at the point at which they are advised of the decision to refuse or revoke a licence.

Outside of these times, an individual can make a subject access request (SAR) for any of their personal data held on NR3. The 'data controller' in respect of this data is this licensing authority, to whom a SAR should be submitted in the first instance. As the 'data processor', that is the organization storing the data, the National Anti-Fraud Network will fulfil this request. Similarly, the exercise of any other rights provided under data protection legislation should be made to this authority in writing in the first instance.

### **How long will details be held on NR3 for?**

Data will be retained on the register to help licensing authorities fulfil their statutory duty to be satisfied that a person is a fit and proper person to hold a taxi or PHV driver's licence. These duties are set out under section 51, 59 and 61 of the Local Government (Miscellaneous Provisions) Act 1976; Sections 13, 16 and 17 of the Private Hire Vehicles (London) Act 1998; Section 3 of the Private Hire Vehicles (London PHV Drivers Licences) Regulations 2003; Sections 25 and 30 of the London Cab Order 1934; Sections 9 and 19 of the Plymouth City Council Act 1975 and Section 46 of the Town Police Clauses Act 1847. In accordance with this purpose, data will remain on the NR3 for 25 years.