

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

14 JULY 2020

REPORT OF THE CHIEF OFFICER – LEGAL, HR AND REGULATORY SERVICES

POLICY ON DETERMINING THE SUITABILITY OF PROTECTIVE SCREENS IN HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

1. Purpose of report

- 1.1 To consider the adoption and publication of a policy on “Temporary Screens in Taxis and Private Hire Vehicles” following consultation with the trade.

2. Connections to corporate well-being objectives / other corporate priorities

- 2.1 There is no direct link to the Corporate Plan / Other corporate priorities.

3. Background

- 3.1 Under the Local Government (Miscellaneous Provisions) Act 1976, the Council may attach any conditions to the grant of taxi (hackney carriage) and private hire vehicle licences that they consider reasonably necessary. Furthermore, a Licensing Authority shall not grant a licence unless they are satisfied that a vehicle is safe.
- 3.2 The Licensing Authority have received requests from the trade urging the Licensing Department to push through greater in-car safety measures to guard against Covid-19 including the use of safety screens. According to the Office of National Statistics taxi drivers have one of the highest mortality rates of any other occupation in the UK.

Bridgend County Borough Council’s conditions of licence for taxis and private hire vehicles state:

“Any alteration in the design of the vehicle to the machinery or the body shall be reported to the Council who may require the proprietor to submit the vehicle for examination.”

This condition requires licence holders who wish to install screens or partitions in their vehicles to first get approval from the Licensing Authority.

- 3.3 A draft policy document has been produced, and approved by the Directors of Public Protection in Wales (DPPW), detailing the requirements and approval procedure for the use of screens in vehicles. A copy of this draft policy is attached at **Appendix A**.

4. Current situation/proposal

- 4.1 In Bridgend, as at 6 July 2020, there have been a total number of 554 confirmed cases of Covid-19 out of a local population of 147,049; this compares to a total of 15,890 confirmed cases in Wales. As at 26 June there had been 90 Covid related deaths in Bridgend.
- 4.2 It is understandable that licence holders will want to put measures in place in order to protect themselves from the transmission of Covid-19. However, this must not impact the safety or integrity of the vehicle.
- 4.3 With the restrictions starting to ease, more and more taxi and private hire drivers are looking to return to work attempting to ensure that they do their utmost to protect themselves and their passengers. Temporary screens in vehicles have been at the forefront of enquiries from the trade in the hope that a physical separation between drivers and passengers may reduce the transmission of Covid-19.
- 4.4 In response to the requests from the trade to install screens in licensed vehicles, the Licensing Expert Panel, made up of representatives from the 22 Welsh local authority Licensing Departments, set up a working group in order to produce guidance for Licensing Authorities to adopt, with the intention of harmonising the approach to the approval of screen installations in Wales.

The document produced has been approved by the Directors of Public Protection in Wales (DPPW) and can be found in **Appendix A**.

- 4.5 There are various types of screens on the market, including flexible plastic screens that wrap around the driver and can be easily removed, to rigid polycarbonate plastic screens that have been attached by way of nuts, bolts and rivets to the seats or other interior vehicle trim.
- 4.6 The proposed policy is intended to provide guiding principles on how the Licensing Authority will deal with such requests from licence holders who may wish to install a screen in their vehicle - a number of safety concerns associated with screens, for example. the potential to interfere with original features of the vehicle such as the side airbags or the movement of the driver's seat and looks to set out specific requirements to satisfy these concerns.
- 4.7 The requirements set out by the policy include:
- Compliant with government and industry regulations, for example the Road Vehicle (Construction and Use) Regulations and relevant safety, UK and European Community (EC) legislation.
 - Compliant with the relevant UN ECE/EU standard for an original equipment type approval test covering interior fittings. Any screen installation that has been fixed to the vehicle in such a way that it may affect the vehicle's structural integrity or the safe operation of the vehicle's Supplementary Restraint System (airbags) should be approved by MIRA, Millbrook or other comparable independent product engineering, testing, consultancy and certification organisation.

4.8 The Licensing Authority has consulted the trade on the proposed policy, which included a number of licensed operators as well as drivers.

One response was received in relation to this consultation. This response was from a licensed operator within Bridgend County Borough Council, Valley Cars, who advised that they would not be looking to install screens in their vehicles.

No other responses were received.

5. Effect upon policy framework and procedure rules

5.1 None

6. Equality Impact Assessment

6.1 A full Equality Impact Assessment has not been undertaken as there are no implications in relation to age; disability; gender and transgender; race; religion or belief and non-belief; sexual orientation on this matter.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial implications

8.1 There are no financial implications. Publication of the policy will be met from existing budgets.

9. Recommendation

9.1 It is recommended that the Committee:

- (i) Adopt the *Temporary Screens in Taxis and Private Hire Vehicles* Policy detailed in **Appendix A**.
- (ii) To help ensure that any requests for screens are processed efficiently, it is recommended that the decision to approve a screen for use in a taxi or private hire vehicle be delegated to the Chief Officer of Legal, HR and Regulatory Services.

Kelly Watson

Chief Officer - Legal, HR & Regulatory Services

Prif Swyddog – Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio

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Background documents:

BBC News - Coronavirus cases in Wales: How many people have died?