

LICENSING COMMITTEE

DATE OF MEETING: 5 SEPTEMBER 2017

TITLE OF REPORT: AMENDMENT TO HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Report of: Head of Regulatory Services

Cabinet member: Councillor Adrian Collett, Regulatory Services

I PURPOSE OF REPORT

1.1 To seek approval for an amendment to the Hackney Carriage and Private Hire Licensing Policy (the Policy) to replace the requirement for Taxis and Private Hire vehicles to have a visible light transmission of not less than 75% with the current MOT requirement for the front windscreen to allow at least 75% visible light transmission and the front side windows to allow at least 70% visible light transmission.

2 OFFICER RECOMMENDATION

2.1 That Licensing Committee approve the amendment of paragraph 15.4 and of paragraph 17.1 of Appendix I of Hart District Council's Hackney carriage and Private Hire Licensing Policy – General Specifications of Fitness and Design for both Hackney carriages and Private Hire Vehicles to state:

- a The front windscreen must allow at least 75% visible light transmission;
- b The front side windows must allow at least 70% visible light transmission; and,
- c No after-market window tinting be permitted.

3 BACKGROUND

3.1 The current Hackney Carriage and Private Hire Policy (Appendix I) was revised in July 2015 and is not scheduled for further review until July 2018.

3.2 Prior to the scheduled review in July 2018 it has been identified that an increasing number of new vehicles are being manufactured with a level of tint to the rear passenger compartment which exceeds the 75% visible light transmission requirement specified within the Policy.

3.3 At the time of writing there are 66 Private Hire vehicles and 207 Hackney Carriage vehicles licensed by the shared licensing service on behalf of Hart. A review of the vehicle types identified that of those 66 private hire vehicles it is estimated that on the basis of the manufacturer, model and specification that 30 would not comply with the existing Policy as the rear windows do not allow sufficient light or visibility and similarly of those 207 Hackney Carriage vehicles 40 would not comply.

3.4 Of the 30 Private Hire vehicles the majority are used for executive hire work where a level of privacy is preferred by the passengers. It is also evident that some of the Hackney Carriages are being used for private hire work.

4 CONSIDERATIONS

- 4.1 The 75% visible light transmission requirement was introduced due to concerns regarding passenger safety to ensure that if passengers were in distress, they would be visible from outside of the vehicle.
- 4.2 There are no statistics which exist in relation to allegations of assault/incidents in private Hire or Hackney Carriage vehicles having heavily tinted windows. As such it is difficult to demonstrate that an increased risk is associated with licensed vehicles which have a rear passenger compartment which is tinted to a greater extent than the Policy permits. Additionally the background driver checks including the Disclosure and Barring Service (DBS) ensure that the risk of physical assault is minimised.
- 4.3 A review of other local authorities Hackney Carriage and Private Hire Policies indicates that many other Councils have now removed this condition from the vehicle specification including Rushmoor, Test Valley, New Forest, Havant, Portsmouth, Southampton, and Fareham.
- 4.4 Ensuring that vehicles meet the specifications of the MOT test provides a clear and demonstrable standard when assessing vehicles for compliance with the Policy.
- 4.5 The restriction of after-market window tints will ensure that vehicles which were designed by the manufacturer to provide a level of privacy to the rear passengers can be licensed whilst ensuring that excessively dark aftermarket tints where the level of transmissible light cannot be assessed will be controlled.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications for either the local authority or the trade arising from the officer recommendation.

6 ACTION

- 6.1 It is recommended that the Licensing Committee agrees to the amendments proposed in paragraph 2.1.
- 6.2 Subject to the amendments being agreed, officers will contact members of the trade to inform them of the changes.

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APPENDICES

Appendix I – Hackney Carriage and Private Hire Licensing Policy July 2015