

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No. 6

meeting date: TUESDAY, 20 MARCH 2012  
 title: CHANGE TO CONDITIONS ATTACHED TO LICENCES  
 submitted by: DIANE RICE – HEAD OF LEGAL AND DEMOCRATIC SERVICES  
 principal author: DIANE RICE – HEAD OF LEGAL AND DEMOCRATIC SERVICES

## 1 PURPOSE

1.1 To seek Committee's instructions about changes to the hackney carriage and private hire vehicle, driver and operator Licences to address the following issues:

1. The introduction of national inspection standards for hackney carriage and private hire vehicles.
2. Smoking in vehicles and at the operating base.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions - }
- Community Objectives - } The Council aims to be a well-managed Council, regular review of its licensing procedures contributes to this objective.
- Corporate Priorities - }
- Other Considerations - }

## 2 BACKGROUND

2.1 The Department for Transport produced guidance from the Inspection Officer Technical Group about the standard of hackney carriage and private hire vehicles.

2.2 The guidance was referred to Committee for consideration in 2011 and a letter was sent to all vehicle licence holders on 23 September 2011, a copy of which is attached as Appendix 1. This set out some of the areas where the Council's current testing procedure is different from the recommendations in the guidance.

2.3 As can be seen from Appendix 1, six issues were identified, namely:

1. use of space saver tyres;
2. use of trailers;
3. certification as to the serviceability of lifts for wheelchair accessible vehicles;
4. extinguisher signs;
5. tinted windows;
6. body condition.

2.4 In the letter the Council informed licence holders that it would consider implementing the best practice guidance, in full, over time.

### 3. ISSUES

- 3.1 The purpose of presenting this report to Committee is therefore to seek Committee's instructions as to which, if any, of issues set out at 2.3 should be addressed at this stage.
- 3.2 A specific request has been received from the Council's Enforcement Officer in relation to vehicles which have tinted windows where the tinting is such as to prevent the occupants of the vehicle being visible. This presents problems for the Enforcement Officer as he can neither identify the driver or the number of persons in the vehicle. It is therefore requested that changes to licence conditions to address this problem are implemented immediately.
- 3.3 The Council's practice is to consult the licence holders about any proposed changes in conditions.
- 3.4 Members will be familiar with changes to legislation about smoking in public places, the effect of this is that drivers and passengers should not smoke in vehicles, nor at the operating base.
- 3.5 There is currently nothing in the Council's licence conditions which prohibits smoking in a licensed vehicle or at the operators' premises.
- 3.6 Committee authorisation is therefore also sought to consult about including these requirements as specific elements of the relevant licences, in order that the Council's infringement scheme can be amended to enable the Enforcement Officer to issue infringements points in relation to these elements as a means of enforcement.

### 4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – N/A.
  - Technical, Environmental and Legal – N/A.
  - Political – N/A.
  - Reputation – N/A.

### 5 RECOMMENDED THAT COMMITTEE

- 5.1 Indicate which, if any, of the matters referred to at 2.3 Committee wishes to licence in accordance with the Department for Transport Guidance.
- 5.2 Authorise the Head of Legal and Democratic Services to consult licence holders about changes to licence conditions arising from the decision made at 5.1, together with changes to conditions relating to smoking in vehicles and at the operating base.

### HEAD OF LEGAL AND DEMOCRATIC SERVICES

For further information please ask for Diane Rice, extension 4418.