

REPORT TO	ON
Licensing and Public Safety Committee	8 December 2020



TITLE	REPORT OF
Modified Vehicles - Consultation Feedback	Shared Services Lead - Legal & Deputy Monitoring Officer

Is this report confidential?	No
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PURPOSE OF THE REPORT

1. Taking into account the outcome of the consultation exercise undertaken throughout September and October 2020 (summarised in section 16 below), this report invites members to recommend the formal adoption of the proposed changes to the existing policy on modified vehicles.

RECOMMENDATIONS

2. Note the content of the report
3. Consider the consultation responses.
4. If members are minded to accept the changes to policy, then forward this report to the next meeting of the Council with a recommendation for formal adoption of the proposed changes to the existing policy on modified vehicles.

CORPORATE PRIORITIES

5. The report relates to the following corporate priorities:

An exemplary Council	x
Thriving communities	x
A fair local economy that works for everyone	x
Good homes, green spaces, healthy places	

BACKGROUND TO THE REPORT

6. On 12th November 2019, members of the Licensing and Public Safety Committee received a report from officers highlighting issues found with the current modified vehicle policy.
7. Members were advised that the current policy is burdensome to operators and proprietors of licenced vehicles.
8. At the meeting on the 12th November 2019 Officers proposed changes to the current policy that would only require vehicles that have been altered since first manufacture to be tested when first licenced and not upon each renewal.
9. Members agreed that the changes to policy regarding modified vehicles should be subject to a consultation exercise, and results presented at a further meeting.
10. On the 10th March 2020, members of the Licensing and Public Safety Committee were provided with an update on the modified vehicle policy.
11. Members were advised that a consultation period had taken place throughout January and February 2020.
12. Feedback had been provided by the trade that the questions were too technical, and the internet format was not accessible. Officers asked the committee to go out to consultation again on this matter, with the option of a paper format to increase accessibility. Members were advised that a report detailing the outcome of the consultation would be brought before committee at a future meeting. Members agreed the consultation was to be re-done.

PROPOSALS

13. The proposal is to agree to change the wording within the Modified vehicle policy. The original policy can be found in appendix 1 of the original report attached to this report as background document 1. The full proposed changes can be found within appendix 2 of the original report attached to this report as background document 1.

The new proposed wording is,

4) Requirements for initial licence application

With effect from xxxx2021 , the owners of vehicles of categories M1,M2 or N1 which have been converted, adapted or modified from the original manufactures specification (whether undertaken by the vehicle licence holder or a third party),and which have not previously been licensed as a hackney carriage or private hire vehicle by South Ribble Borough Council will be required to undergo a test and inspection by Lancashire County Council or South Ribble Borough Councils Depot. The test shall be arranged by the Licence holder who will pay any fees levied by LCC or SRBC. Once a certificate or clearance has been made by LCC or SRBC the Licence Holder will submit a copy of the certificate with the Licence Authority.

If the vehicle is installed with any sort of lifting equipment the Licence Holder will ensure the

equipment is serviced and certificated in accordance with the LOLER Regulations. A copy of this certificate will be lodged with the Licensing Authority at intervals specified by the testing regime relating to the relevant equipment.

If after first examination a vehicle is substantially varied or altered it shall be subject to an additional test by LCC.

Substantially altered or varied will include;

- 1. A change or alteration to the tracking lay out (extended or reduced)*
- 2. Additional seats or seat belt mounts installed outside of existing tracking.*

14. Members are asked to consider the feedback given from the consultation exercise shown below in part 16 of this report and agree to the proposed changes to the policy relating to modified vehicles.

15. In order to implement the recommendations, set out in this report, it is proposed that the changes would need to be forwarded to the next meeting of full council with a recommendation for formal adoption.

CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

16. Feedback from the consultation exercise 21st September 2020 – 2nd November 2020

- Advisory letters were sent to all drivers and operators.
- Paper feedback forms were provided to every licenced driver, vehicle proprietor and licenced operator.

The following responses summarised below have been received following the consultation exercise.

Question	Yes	No	Unsure
<p><i>Currently the taxi licensing policy requires vehicles that have been modified since it was first manufactured, to pass an additional test every 6 months.</i></p> <p><i>It is proposed to change the current policy, to require a one of test only when the vehicle is first licenced and or if modified whilst licenced. The test would be performed by either Lancashire County Council or South Ribble Borough Council.</i></p> <p><i>Do you agree to change the policy from the requirement to be tested 6 monthly to a one-off test</i></p>	37	0	2

<i>when first licenced or modified whilst licenced ?</i>			
<p><i>Currently the Taxi licensing policy requires modified vehicle proprietors to obtain an IVA certificate for the vehicle.</i></p> <p><i>We propose to change this requirement for an IVA in favour of a localised test by qualified engineers who will focus on all aspects of the modification.</i></p> <p><i>The test will be tailored to private hire/hackney carriage vehicles and will test various aspects of the vehicle such as seats, tracking and passenger lifts.</i></p> <p><i>Do you agree to change from the IVA test to a localised test tailored to Private hire/Hackney carriage vehicles ?</i></p>	35	1	3

COMMENTS OF THE STATUTORY FINANCE OFFICER

17. No comment

COMMENTS OF THE MONITORING OFFICER

Should Members approve the changes to the Policy, approval will be required by Full Council

OTHER IMPLICATIONS:

<p>▶ Risk</p> <p>▶ Equality & Diversity</p> <p><i>Add any other implications which you consider particularly relevant</i></p>	<p><i>None identified</i></p> <p><i>No Equality or Diversity issues.</i></p>
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BACKGROUND DOCUMENTS

Background Document 1 is accessible using the below link and can be found at agenda item 26

<https://southribble.moderngov.co.uk/ieListDocuments.aspx?CId=483&MId=1601&Ver=4>

APPENDICES

Appendix 1 - Full Consultation Document - is accessible using the below link

<https://www.southribble.gov.uk/sites/default/files/All%20Consultations.pdf>

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Report Author:	Telephone:	Date:
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