

REPORT TO	ON
GENERAL LICENSING COMMITTEE	10 APRIL 2018

September 2017



TITLE	REPORT OF
DRAFT POLICY / TESTING REQUIREMENTS TO ENSURE THE SAFETY OF LICENSED VEHICLES WHICH HAVE BEEN SUBJECT TO MODIFICATION	INTERIM DEPUTY CHIEF EXECUTIVE (RESOURCES & TRANSFORMATION)

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

This report seeks to update members on the latest position regarding the proposed adoption of a draft policy to ensure the safety of licensed vehicles which had been subject to modification.

2. RECOMMENDATIONS

Members are requested to:

- 2.1 in light of (i) the outcome of the second period of consultation (set out in section 6 below) and (ii) the revised Equalities Impact Assessment (attached as Appendix 1), consider whether to forward the final version of the draft testing specification for modified vehicles (Appendix 2) to the meeting of full Council on 23 May 2018 with a recommendation for its formal adoption; and
- 2.2 given the previous decision made in principle by the General Licensing Committee on 17 October 2017 (that any tests to ensure the safety of modified vehicles against a specification adopted in section 2.1 above should be carried out solely by the Lancashire County Council facility at Bamber Bridge), make a recommendation to this effect to full Council when it sits on 23 May 2018.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities

Excellence and Financial Sustainability	x
Health and Wellbeing	
Place	

Projects relating to People in the Corporate Plan:

People	
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4. BACKGROUND TO THE REPORT

4.1 Members are familiar with the issue of safety tests for modified vehicles, having received reports on several occasions over the past 12 months. For ease of reference, a summary of the previous reports is set out in the table below:

Date	Purpose of report	Outcome
21.3.17	Initial report on safety of licensed vehicles which had been subject to modification	A more detailed report was to be brought back to a future meeting after further work had been carried out
13.6.17	An updated report containing a draft policy and testing specification was presented to the Committee, including alternative options for the carrying out of safety tests (either solely by Lancashire County Council or by any approved local testing station)	Members agreed that the proposed policy and specification should be subject to a consultation exercise as set out in the report, with the option on restricting the location of tests to the LCC facility being stated as the preferred option
17.10.17	Members received a further report which updated them on the outcome of the consultation exercise	Members resolved to proceed with the in principle agreement to require testing to be carried out by the County Council, but required further post-consultation dialogue with the trade on the content of the testing specification
20.2.18	Members were updated on the meeting held with the trade on 12 January 2018 to discuss the draft testing specification	Members agreed that – in light of the further changes to the specification discussed at the meeting with the trade – a further 2 week consultation period should be undertaken

4.2 The purpose of this latest report in April 2018 is to advise members of the outcome of the second consultation exercise, this having been agreed by the General Licensing Committee at its meeting on 20 February 2018.

4.3 The minutes of the meeting on 20 February record the following rationale for the second consultation exercise being carried out:

“.....[The situation]...had proved to be more complex and sensitive than initially anticipated. Following further discussions with partners and the trade, the current amended draft policy included aspects that had not been included in the original consultation. It was therefore suggested that a further short consultation exercise be carried out.”

4.3 In addition, members are asked to note that an updated version of the Equalities Impact assessment (originally presented to members in June 2017) is attached as Appendix 1.

5. METHODOLOGY OF THE CONSULTATION EXERCISE

5.1 The latest consultation exercise followed the following format:

- a) details of the consultation exercise were placed on the Council's website;
- b) as agreed by Committee on 20 February 2018, the period of consultation was restricted to 2 weeks (from 1 March to 14 March 2018); and
- c) the main stakeholders (Lancashire County Council and Andrew Wallbank Ltd) were emailed directly on 2 March 2018 at the start of the consultation exercise and advised of the opportunity to submit any further comments.

6. OUTCOME OF THE CONSULTATION EXERCISE

6.1 No responses to the second consultation exercise were received.

7. FINAL VERSION OF DRAFT TESTING SPECIFICATION

7.1 In light of the two periods of consultation held to date, and the ad hoc meeting held with key stakeholders on 12 January 2018, a final version of the draft testing specification for modified vehicles is attached as Appendix 2.

8. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

8.1 Comments of the Statutory Finance Officer

There are no financial implications arising as a result of the recommendations in this report.

8.2 Comments of the Monitoring Officer

Road safety is of paramount importance to the licensing authority, and this report seeks to ensure the safe transport of passengers in modified vehicles, by introducing an additional testing regime on modified vehicles.

Other implications:	
▶ Risk	See Legal comments above.
▶ Equality & Diversity	The proposed safety test seeks to ensure the safe transport of passengers with physical disabilities, many of whom will be wheelchair users and require modified transport.
▶ HR & Organisational Development	None
▶ Property & Asset Management	None
▶ ICT / Technology	None

9. BACKGROUND DOCUMENTS

Appendix 1 – revised Equalities Impact Assessment

Appendix 2 – final version of draft specification following input from meeting on 12 January 2018

ELT Member's Name: Lisa Kitto

Job Title: Interim Deputy Chief Executive (Resources & Transformation)

Report Author:	Telephone:	Date:
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