
Taxis Committee – 10th October 2019

Report of the Strategic Director Place

Review of a Privacy Glass/Tint policy

Purpose

1. To review the council policy implemented on the 11th October 2018 regarding the levels visual light transmittance (VLT) allowed by condition in the rear side facing windows of licensed vehicles.

Recommendation

2. That the Committee consider the information contained within the report, note its contents and determine whether there is a need to further amend the current policy regarding the levels visual light transmittance (VLT) allowed by condition in the rear side facing windows of Dudley Council's licensed private vehicles.

Background

3. The council first introduced a standard in its policy relating to the minimum level of VLT that it would allow passing through all windows of a licenced vehicle in 2009. At that time the levels allowed were the current legal limit for the windscreen and front side facing windows and a minimum of 40% VLT passing through the remaining side facing windows as measured by a light meter.
4. In March 2016 the committee considered a report outlining that a small number of vehicles had been licensed with rear side facing glass that did not meet the required standard and allowed less than 40% VLT to pass through. This report triggered a number of requests for further information by the committee and discussion on the subject at a number of committee meetings finally culminating in the meeting of the 11th October 2018.
5. On the 11th October 2018 the Taxi Committee resolved to amend its then current policy in relation to VLT through the windows of vehicles licenced by the council as either private hire vehicles or hackney carriages.

6. The current policy states: Dudley Council will only licence vehicles with:
- 75% of light passing through the front windscreen;
 - 70% of light passing through both front side facing windows;
 - Any other side facing glass that has less than 70% of light passing through on proof that this glass was fitted during the manufacture of the vehicle.

No vehicle shall be fitted with any form of additional adhesive film or mirror effect to darken glass.

The full report upon which the committee based its decision and the minutes of that meeting are included as appendices 1 and 2.

7. On the 11th October 2018 the Taxi Committee further requested that the amended policy be reviewed after a period of twelve months. Comparison of statistics relating to complaints made to the Council Licensing section by members of the public for the periods between October 2017 to October 2018 and October 2018 to October 2019 show a consistent level of complaints. Complaints raised range across a number of issues including, level of service for example not turning up or being late, the use of mobile phone whilst driving, allegations of unlicensed drivers, the condition of vehicles, poor driving or accidents, allegations of breaching the equality act, overcharging, and incivility. The licensing section received one complaint of inappropriate behaviour by a driver in each of the above years. These complaints were investigated with one being substantiated resulting in the driver having his licence revoked.
8. During the same two periods the number of vehicles licensed by the council has increased by 15 vehicles, although due to a change in driver behaviour the total number of new private hire vehicles has increased by 58. In order to address issues as to what is glass fitted during manufacture the compliance team have adapted their procedures utilising current industry guidelines and in the main are able to date glass fitted in most common makes of vehicle. They have utilised this information to ensure that regardless of VLT that all vehicles presented for testing have the appropriate safety glass. The compliance team management have not reported a marked increase in vehicles presenting with very dark tinted rear side windows.
9. Overall, the understandable concerns raised by members and officers during the consultation process regarding this issue do not appear to have materialised. With this in mind, it is officers' recommendation that the current policy relating to tinted glass in licenced vehicles continue unchanged at this time.

Finance

10. There are no financial implications arising from this report.

Law

11. Part II of the Local Government (Miscellaneous Provisions) Act 1976 regulates Private Hire Vehicles and Hackney Carriages and the Town Police Clauses Act, 1847 regulates Hackney Carriages.
12. Sections 47(1), 47(2) and 48(2) allows licensing authorities to attach to the grant of Private Hire and Hackney Carriage Licences certain conditions that they consider reasonably necessary.

Equality Impact

13. This report takes into account the Council's policy on equal opportunities.
14. The licensing of Private Hire and Hackney Carriage vehicles and drivers will impact on children and young people through their transportation in licensed vehicles.
15. There has been no consultation or involvement of children and young people in developing these proposals.

Organisational Development/Transformation

16. There are no organisational development/transformation implications.

Commercial/Procurement

17. There are no commercial/procurement implications.

Health, Wellbeing and Safety

18. This application falls within the Council's responsibility for Taxi and Private Hire Licensing, which has a direct link to the Council's key corporate priority that safety matters.



Strategic Director Place

Contact Officer: Mr S Smith
Telephone: 01384 815377
Email: simon.smith@dudley.gov.uk

List of Background Documents

Appendix 1 – Committee Report Manufacturers Privacy/Tinted Glass 11th October 2018
Appendix 2 – Minutes of the Taxis Committee 11th October 2018