

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

HACKNEY CARRIAGE VEHICLE LICENCES – TINTED WINDOWS

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To request that members consider an urgent amendment to the Hackney Carriage and Private Hire Licensing Policy in relation to tinted windows.

2. BACKGROUND INFORMATION

- 2.1 The Council has adopted a Hackney Carriage and Private Hire Licensing Policy, which is currently under review.
- 2.2 An urgent matter has recently come to light in relation to the restriction of tinted windows on hackney carriage vehicles.
- 2.3 The current policy states that no hackney carriage vehicle shall be fitted with tinted windows and all windows shall be capable of transmitting at least 70% light through.
- 2.4 Due to recent case law, it is proposed to amend this policy, whereby hackney carriage vehicles will be licensed where the tinted glass fitted is at the time the vehicle is manufactured. The proposed change would ensure that the council is compliant with relevant case law.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 – To amend the policy in relation to tinted windows on hackney carriage vehicle.
- 3.2 Option 2 – To maintain the current policy.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 – The change to the policy would ensure that the council is operating in accordance with the relevant case law.
- 4.2 Option 2 – Maintaining the current policy could result in the Council facing a legal challenge.

5. **RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

5.1 Financial – There are no financial, staffing, property or IT implications from this report.

6. **OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)**

6.1 Statutory – The change to the policy is to reflect recent case law.

6.2 Risk – There are no risks associated with this report.

6.3 There are no environmental, diversity, Section 17, or other implications.

7. **OUTCOMES OF CONSULTATION**

7.1 No consultation has been carried out in relation to this report.

8. **RECOMMENDATIONS**

8.1 That the change to the policy be approved.

DIRECTOR OF PLACES

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Date: 3 June 2014

Background Papers used in the preparation of this report – Hackney Carriage and Private Hire Licensing Policy