



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Cabinet

**Tuesday, 7 July 2020
6.00 pm**

**Virtual WEBEX video conference via YouTube -
<https://www.youtube.com/user/cheltenhamborough>**

Membership	
Councillors:	Steve Jordan, Flo Clucas, Chris Coleman, Rowena Hay, Alex Hegenbarth, Peter Jeffries and Andrew McKinlay

Agenda

10.	PARTITION SCREENS IN LICENSED VEHICLES Report of the Cabinet Member Development and Safety	(Pages 3 - 12)

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Cheltenham Borough Council
Cabinet – 7 July 2020
Partition Screens in Licensed Vehicles

Accountable member	Councillor Andrew McKinlay, Cabinet Member for Development & Safety
Accountable officer	Mike Redman, Director of Environment
Ward(s) affected	All
Key Decision	Yes
Executive summary	<p>The authority consulted on a draft policy on installing partition screens in licensed vehicles to help protect licensed drivers and their passengers.</p> <p>Consultation with the taxi and private hire trade was undertaken between the 1st and 12th of June 2020. A breakdown of feedback from the trade is outlined in paragraph 7 of this report.</p> <p>This report gives Cabinet an opportunity to consider the consultation feedback, to make further comment and observations in relation to this feedback, and, subject to this, adopt the proposed policy.</p>
Recommendations	<p>Cabinet is recommended to:</p> <ol style="list-style-type: none"> 1. Note the consultation feedback; 2. Approve the proposed policy attached at Appendix 2 of this report.

Financial implications	<p>No direct financial implications arising from this report.</p> <p>Contact officer: Andrew Knott, Andrew.Knott@publicagroup.uk</p>
Legal implications	<p>As outlined in the report.</p> <p>Contact officer: Vikki Fennel, vikki.fennel@tewkesbury.gov.uk</p>
HR implications (including learning and organisational development)	<p>No direct HR implications arising from this report.</p> <p>Contact officer: Clare Jones, clare.jones@publicagroup.uk</p>
Key risks	As outlined in Appendix 1
Corporate and community plan Implications	None

Environmental and climate change implications	None
Property/Asset Implications	None Contact officer: Dominic.Stead@cheltenham.gov.uk

1. Background

- 1.1 The authority consulted on a draft policy on installing partition screens in licensed vehicles to help protect licensed drivers and their passengers.
- 1.2 Consultation with the taxi and private hire trade was undertaken between the 1st and 12th of June 2020. A breakdown of feedback from the trade is outlined in paragraph 7 of this report.
- 1.3 This report gives Cabinet an opportunity to consider the consultation feedback, to make further comment and observations in relation to this feedback, and, subject to this, adopt the proposed policy.

2. Partition Screens in Licensed Vehicles

- 2.1 The Covid-19 pandemic has been particularly severe on the livelihoods of hackney carriage (taxi) and private hire licence holders. In order to assist the trade's recovery and to protect licence holders, the authority consulted on a draft policy on installing partition screens in licensed vehicles.
- 2.2 In doing so, there is recognition that ONS data shows that licensed drivers have raised rates of death involving COVID-19. It is therefore important that the authority takes practical steps to protect licence holders and their passengers.
- 2.3 As outlined in the draft policy however, there is recognition that partition screens do not provide 100% protection but equally recognises that evidence suggests this type of physical barrier can reduce the rate of transmission.
- 2.4 The purpose of the policy is to provide drivers with physical protection against transmission of the virus in their workplace, to provide protection for passengers, and to, more generally, provide public confidence and assurance.
- 2.5 The LGA have issued some guidance on the installation of protective screens in licensed vehicles. This guidance is available on the LGA website (<https://www.local.gov.uk/approaches-use-screens-private-hire-vehicles-phvs-and-taxis-during-covid-19-pandemic>) or an electronic copy is attached at Appendix B.
- 2.6 There is no official guidance from the Department for Transport on the installation of protective screens in licensed vehicles.

3. Proposed policy

- 3.1 The proposed policy attached at Appendix 2 of this report.
- 3.2 It is not proposed that the installation of partition screens be made mandatory. The majority of the consultation feedback did not support a mandatory policy.
- 3.3 There are a number of reasons why respondents did not support a mandatory policy. Broadly speaking, the issues raised related to:
 - a) Not all licensed vehicles do the same work and in some cases, such as Cotswold tours or executive airport transfers, a screen will be detrimental to business.
 - b) Some drivers reported that their insurance providers would not allow such screens to be installed.
 - c) Drivers pointed out that other means can be employed such as PPE and regular cleaning.

- d) The design of certain models of vehicles means that safety and other features such as side impact airbags, air conditioning and sunroofs will be affected by partition screens.
- e) Many licensed vehicles are also used as the main family vehicle and partition screens would not be appropriate for this.

- 3.4 Officers recognise that a discretionary policy will mean that screens are installed in some vehicles and not others. Whilst in principle there would not be an issue, in practice this will mean some passengers may not want to travel in vehicles with no screens.
- 3.5 This will be less of an issue in the context of private hire licensing since private hire vehicles must be pre-booked and the passenger can therefore request a vehicle installed with a partition screen.
- 3.6 The issue is slightly more complicated with public hire vehicles. However, passengers are not obligated to accept the first vehicle on a taxi rank. They are fully entitled to exercise their right of choice. Therefore, they can choose to travel in hackney carriages installed with protective screens.

4. Reasons for recommendations

- 4.1 To help with the recovery of the licensed taxi and private hire trade, to protect licensed drivers and customers using taxis and private hire vehicles.

5. Alternative options considered

- 5.1 Not to adopt this policy. However, for the reasons outlined in this report, the alternative is not recommended.

6. How this initiative contributes to the corporate plan

- 6.1 Supports draft corporate recovery strategy.

7. Consultation and feedback

- 7.1 In total, 43 consultation responses were received from the taxi and private hire trade. The feedback can be broken down as follows:

Number of responses in favour	8
Of these, those in favour of mandatory requirement	2
Of these, those not in favour of mandatory requirement	6
Number of responses opposed to screens	35

- 7.2 Consultation was also undertaken with the authority's approved MOT testing stations and the county council's integrated transport unit.
- 7.3 The MOT testing stations have provided guidance to licence holders when presenting their vehicles for testing.
- 7.4 The Licensing Committee, in its capacity as lead consultee to Cabinet, has had an opportunity to respond to the consultation. The Licensing Committee approved the draft policy and recommended approval by Cabinet.

Report author	Contact officer: Louis Krog, louis.krog@cheltenham.gov.uk
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Proposed Partition Screens in Licensed Vehicles policy
Background information	<ol style="list-style-type: none"> 1. Minutes of Licensing Committee, Wednesday, 24th June, 2020 2.00 pm 2. Coronavirus (COVID-19) related deaths by occupation, England and Wales: deaths registered between 9 March and 25 May 2020, https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/causesofdeath/bulletins/coronaviruscovid19relateddeathsbyoccupationenglandandwales/deathsregisteredbetween9marchand25may2020#men-and-deaths-involving-covid-19-by-occupation

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the authority does not adopt this policy then it risks some reputation damage for not supporting the sector's recovery.	Cabinet	July 2020	2	2	4	Accept	Approve recommendations.			
	If the authority does not adopt this policy then it risks jeopardising the health and wellbeing of licensed drivers and customers.	Cabinet	July 2020	2	2	4	Accept	Approve recommendations.			
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											

Partitions or screens in Hackney Carriages or Private Hire vehicles

Introduction

1. Partitions or safety screens provide a physical barrier between drivers and passengers in the vehicle. They are commonly installed in purpose built hackney carriages as a safety feature to protect the driver from physical attacks or theft. There has been an increase in interest of the use of screens as a way of providing physical separation between drivers and passengers in order to reduce the transmission of COVID-19.
2. Purpose built hackney carriages are already fitted with partitions between drivers and passengers. However, licensed saloon vehicles do not have partitions/safety screens installed. There are a wide variety of different makes and model of these vehicles licences in Cheltenham.
3. Whilst a partition screen between drivers and passengers will not provide 100% protection against transmission of the coronavirus, evidence shows that the use of physical barriers is effective in lowering the rate of infection and spread of the virus.
4. Whether a partitions or screens should be installed is a matter for vehicle owners, drivers and/or operators to consider.
5. This policy outlines the authority's policy on the installation of partitions or screens in hackney carriages or private hire vehicles. Any queries can be directed to licensing@cheltenham.gov.uk.

Specification

The partition or screen:

1. must comply with the Road Vehicle (Construction and Use) Regulations.
2. must be professionally and securely fitted and maintained in accordance with the manufacturer's instructions. Certification from the fitter must be obtained to certify the safety of the installation and confirmation it has been fitted to manufacturers standards.
3. should be constructed with a transparent polyvinyl chloride (PVC) or polycarbonate and be of firm or solid design.
4. should not impede the driver's vision, movement, or communication with passengers.
5. should not impede driver or passenger access or egress to the vehicle.
6. must be fitted in such a way so as not to affect the structural integrity of the vehicle or interfere or affect any manufacturer fitted safety equipment or features including headrests, seatbelts, airbags, egress points, CCTV.
7. must not wrap around the driver seat and create a partition between the two front seats, in addition to the rear cabin area.
8. must not affect the ability of the vehicle to be properly insured for the purpose of carrying persons for hire and/or reward.
9. must not adversely influence or interfere in any way with vehicle type approval.

10. should not be significantly changed or modified from the original manufactured design. In cases where it is necessary to modify the original design of the device (for example, to facilitate installation of the device in the vehicle), assurances should be sought from the supplier/installer that the modification does not raise any concerns in relation to safety of the device and complies with the relevant UK and/or EC safety legislation.
11. should remain clear and be free of scratches, clouding or stickers which would impede the drivers or passengers' visibility.

Approval Procedure

In accordance with the conditions attached to private hire and hackney carriage vehicle proprietors licences, permission must be sought prior to any vehicle alternations including installation of a partition or screen in any vehicles licensed by Cheltenham Borough Council.

Permission can be sought by completion of the correct form and returning it to the authority by email to licensing@cheltenham.gov.uk.

The authority reserves the right to seek any additional information that it might require including, but not limited to:

1. Technical specifications on any partition or screen installed;
2. Written confirmation that any partition or screen installed has been done so professionally and in accordance with the manufacturers requirements and specifications;
3. Confirmation that the vehicle's insurance cover has not been affected by the installation of the partition or screen; and/or
4. Written confirmation from the vehicle's manufacturer that the installation of the partition or screen does not compromise the integrity of the vehicle structure.

Proposed Form

Proprietor Name:	
Vehicle Registration Number:	
Vehicle Licence Number:	
Description of partitions or screens:	
Please send us the technical specification or manufacturer's specification.	
Declaration: <ol style="list-style-type: none"> 1. This authority is obligated to process information fairly and lawfully. I understand that the council will process the information I have provided on this form in accordance with the relevant privacy statement available at https://www.cheltenham.gov.uk/your-data. 2. I confirm the installation, design and maintenance of the partitions or screen will be in accordance with Cheltenham Borough Council's policy and requirements. 3. I confirm I have notified my insurers of the material alteration to my licensed vehicle and it has been confirmed that my insurance for carrying passengers for hire and/or reward has not been affected by this alteration. 	
Date:	
Signature:	

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