

1 Item



HACKNEY CARRAIGE AND PRIVATE HIRE VEHICLE REAR PASSENGER WINDOW TINT

To:

Licensing Committee 20/03/2023

Report by:

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Wards affected:

All

1. Executive Summary

- 1.1 Under the powers conferred to Cambridge City Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, (as amended), Cambridge City Council has responsibility for licensing Hackney Carriage, Private Hire and Dual Licence Drivers as well as vehicle proprietors and Private Hire Operators within the City.
- 1.2 The Licensing Authority seeks to carry out its licensing functions with a view to promoting the following objectives:
 - i) The safety and protection of the public;
 - ii) Vehicle safety, comfort and access;

- iii) The prevention of crime and disorder
- iv) The promotion of environmental sustainability
- v) Protection of children and adults at risk from harm

1.3 As a Licensing Authority, Cambridge City Council ensure all licensing activities are carried out in line with its policies, and guidance found within the Hackney Carriage & Private Hire Licensing Handbook.

1.4 To support the objectives, Cambridge City Council has worked on developing vehicle standards. These standards can be found in the handbook attached as Appendix A of this report.

Rear passenger window tints

1.5 One vehicle standard which applies to both hackney Carriage and Private Hire vehicles is in relation to rear passenger windows. Vehicle Standards list states:

“Rear Passenger windows must not have more than the maximum tint of 70%, and must let through a minimum of 30% light. The front windscreen must let at least 75% of light through and the front side windows (passenger and driver) must let at least 70% of light through (legal requirement). No film tinted windows will be accepted.”

1.6 The requirement of a minimum tint for tinted windows aims to support i), ii),iii) and v) of the objects within section 1.2 above.

CCTV in licenced vehicles

1.7 The mandatory installation of CCTV within Hackney Carriage and Private Hire vehicles was agreed by members in October 2017.

Supporting objectives i), iii) and v) detailed in section 1.2.

- 1.8 In implementing CCTV in licensed vehicles, further objectives can be met;
- i. The protection of licensed drivers.
 - ii. The protection of the travelling public.
 - iii. To ensure that licensed drivers continue to be 'fit and proper' in line with licence conditions.
 - iv. To enable investigations to be fully supported with evidence in a secure and retrievable form.
- 1.10 Since the approval, implementation has been delayed due to procurement difficulties and the Covid-19 pandemic.
- 1.11 In October 2022, Members of the Licensing Committee agreed an implementation date of 1st April 2023 whereby the implementation of CCTV in licensed vehicles would begin in a phased and manageable approach. Any grant of a new vehicle licence or renewal of an existing licensed vehicle from 1st April 2023, required vehicle to be fitted with CCTV.

2. Recommendations

- 2.1 Members of the Licensing Committee are recommended to consider and approve the following change to current Taxi Window tint requirements:

- 2.1.1 Vehicles installed with CCTV (meeting/exceeding Cambridge City Council specification), are exempt from council rear passenger window tint requirements.
- 2.1.2 Vehicles with no CCTV installed within vehicle must have *rear passenger windows which do not have more than the maximum tint of 70%, and must let through a minimum of 30% light.*
- 2.1.3 Only vehicles with manufactured tinted windows, meeting above standard will be approved to be licensed (in absence of CCTV).
- 2.1.4 Film tinted windows will not be approved to be licensed.
- 2.1.5 Front windscreen and Front passenger and driver windows to meet national legal requirement.

3 Background

- 3.1 The current Government law in relation to tinted windows is dependent on when the vehicle was first used. Vehicles first used on 1 April 1985 or later; front windscreen must let at least 75% of light through and the front side windows must let at least 70% of light through. Vehicles first used before 1 April 1985; The front windscreen and front side windows must both let at least 70% of light through.
- 3.2 There are no legal restrictions for the tinting of the rear windscreen or rear passenger windows. This leaves manufactures the option of manufacturing vehicles with dark tinted rear windows, which many manufacturers opt for due to the associated sellable benefits.
- 3.3 Despite, sellable benefits, there are disadvantages of tinted passenger windows within licensed vehicles; these include:
 - Passengers cannot be viewed from the outside of the vehicle, which can be a potential risk to passengers and drivers.

- Enforcement officers are unable to identify number of passengers in the vehicle to ensure licensed vehicle is not exceeding number of passengers.
- 3.4 As there is no set legal requirement for rear passenger window tint limits, Councils are able to determine the specification.
- 3.5 Cambridge City Council in support of the objectives detailed in 1.2, have required specific requirements for rear passenger windows, in reference to tint levels.
- 3.6 Prior to July 2019, Cambridge City Council window tint requirement stated all licensed vehicles must have minimum 70% light transition and maximum 30% tint for rear/ back passenger windows.
- 3.7 The above specification was amended in July 2019, when Licensing members approved;
- 3.7.1 70% window tint maximum and 30% transition minimum for rear passenger windows
 - 3.7.2 Only vehicles with manufactured tinted windows, meeting above standard will be approved to be licensed.
 - 3.7.3 No film tinted windows will not be approved to be licensed.
 - 3.7.4 Front windscreen and Front passenger and driver windows to meet national legal requirement.
- 3.8 Amendments were agreed by members, after report presented evidence of increased number of vehicles were being manufactured with tints greater than 30% tint (specifically zero emission and Ultra-low emission vehicles) and the increased cost of replacing vehicle windows.
- 3.9 Since items in 3.7 were agreed by members, an implementation date for CCTV has been agreed by members.

3.10 Both CCTV and tinted windows aim to support the licensing objectives, however, there may be need for consideration regarding enforcing both vehicle requirements side by side.

3.11 There remains the continued increase in vehicles manufactured with dark tinted windows (specifically zero emission vehicles, due to the seen benefits of dark windows), which do not meet the current council requirements. This leads to the requirement for licence holders to change windows in order to licence their vehicle.

3.12 With the implementation date for CCTV installation agreed, consideration of the tinted window requirements may be reconsidered for vehicles installed with CCTV.

4 Implications

a) Financial Implications

Nil.

b) Staffing Implications

Existing staff resources will absorb the review of the window tint requirement, along with any changes arising from the review.

c) Equality and Poverty Implications

Nil.

d) Environmental Implications

Nil.

e) Procurement Implications

Nil.

f) Community Safety Implications

The requirement of a minimum tint for tinted windows aims to support i), ii),iii) and v) of the objects within section 1.2 above. However with the mandatory installation of CCTV which also supports the above objectives, this would negate the need for minimum tinted windows in vehicles with CCTV

5 Consultation and communication considerations

N/A

6 Background papers

None

7 Appendices

Appendix A – Vehicle Standards (Hackney Carriage and Private Hire Taxi Handbook)

8 Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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