

SOUTH STAFFORDSHIRE COUNCIL

LICENSING & REGULATORY COMMITTEE – 19 January 2022

DRIVER SAFETY ENCLOSURES CONSULTATION

REPORT OF GREG BICKERDIKE

PART A – SUMMARY REPORT

1. SUMMARY OF PROPOSALS

- 1.1 Approval is sought from the Licensing Committee for a six-week consultation on Driver Safety Enclosures.

2. RECOMMENDATIONS

- 2.1 Approve a six-week consultation on the regulation of driver safety enclosures in licensed vehicles.

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	No	
	Has an Equality Impact Assessment (EqIA) been completed?	
	Yes	Equalities Analysis in Appendix 2
SCRUTINY POWERS APPLICABLE	No	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	March 2023	
FINANCIAL IMPACT	No	There are no financial implications associated with this report. The consultation will be run via City of Wolverhampton Council's consultation hub. Driver safety enclosures will be purchased by licence holders and not the Council.
LEGAL ISSUES	No	The policy requires that enclosures: <ul style="list-style-type: none">• Must be fitted within the vehicle accordance with regulations UN ECE R43.00 and R21.01 and Section 12 of the M1 category DVSA IVA manual.

		<ul style="list-style-type: none"> • Must not be modified from the original manufactured design, without the manufacturer's confirmation that this will not cause any safety issues or non-compliance with the relevant UK and/or EC safety legislation. • Must not negatively affect any safety equipment, such as airbags, or escape from the vehicle. • Must be notified to the vehicle insurer as a modification to the vehicle. Proof of insurance cover including the enclosure is required at all times.
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	The production of solid plastic Driver Safety Enclosures will have a negative contribution to climate change; however this is accepted as reasonable given the benefits of the safety equipment.
IMPACT ON SPECIFIC WARDS	No	

PART B – ADDITIONAL INFORMATION

4. INFORMATION

4.1 BACKGROUND

4.2 Following the killing of a Private Hire Driver, Wolverhampton's Private Hire Trade Working Group expressed a desire for Driver Safety Enclosures (DSE).

4.3 This novel equipment is not covered by Licensing Services' current policies. These are typically rigid plastic enclosures which are installed in a vehicle, to segregate the driver from the passengers.

4.4 The Council acknowledges the protective features of these products but recognises that amateur installation and/or unapproved products result in increased risks, particularly in relation to road traffic collisions.

4.5 City of Wolverhampton Council has approved a consultation on this and South Staffordshire Council are cordially invited to jointly participate in this change.

Progress

4.6 The Vehicle Licence Requirements Policy (Appendix 1) has been updated with draft amendments in sections 2.1 and 5. These amendments seeks to regulate the installation of DSE in licensed vehicles.

Consultation

4.7 Due to the profile of this issue in the media and trade, a shortened six-week consultation is requested.

4.8 The following will be consulted:

A. Service users (licence holders and applicants)

B. Other licensing authorities

C. National Association of Licensing Enforcement Officers (NALEO)

D. Institute of Licensing (IoL)

E. Black Country Magistrates' Court

F. Department for Transport (DfT)

G. West Midlands Police

H. Disabled groups

I. Equality Diversity and Inclusion Team

Appendices

4.9 Appendix 1: Draft Vehicle Licence Requirements Policy for Consultation

4.10 Appendix 2: Equality Analysis

IMPACT ASSESSMENT – ADDITIONAL INFORMATION

Not applicable

PREVIOUS MINUTES

BACKGROUND PAPERS

Relevant Legislation

None

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