

REGULATORY COMMITTEE – 1 APRIL 2019

REPORT OF THE EXECUTIVE DIRECTOR OF NEIGHBOURHOODS

APPLICATIONS FOR THE GRANT OF HACKNEY CARRIAGE LICENCES AND PRIVATE HIRE VEHICLE LICENCES

1.0 PURPOSE OF REPORT

- 1.1** The purpose of this report is to seek the consideration of the Committee of the Council's policy relating to the requirement in respect of vehicle glass of hackney carriages and private hire vehicles.

2.0 DESCRIPTION OF DECISION (RECOMMENDATIONS)

- 2.1** The Committee is requested to consider amending the current vehicle glass policy as detailed in paragraph 4.2 below.

3.0 INTRODUCTION/BACKGROUND

- 3.1** Presently the Council's policy relating to the licensing of vehicles as a hackney carriage or private hire vehicle states:-

“The glazing of any vehicle submitted for licensing as either a hackney carriage or a private hire vehicle must have a light transmittance as detailed below:

- i) Front windscreen; minimum light transmittance 75%
- ii) All remaining vehicle glass; minimum light transmittance 70%”.

- 3.2** In addition to the Council's policy detailed in paragraph 3.1 above, all hackney carriage and private hire vehicle licences currently have a condition attached which states:-

“The glazing of the vehicle must have a light transmittance as detailed below:

The light transmittance of all glass fitted to the vehicle shall not be lower than 75% in the case of the front windscreen or 70% in the case of all remaining glass UNLESS the vehicle is an exempted vehicle, in which case, in relation to all glass other than the front windscreen and two front doors:

- where individual units of glass are replaced, the replacement glass shall not have a light transmittance which is lower than the glass being replaced;
- where all units of glass are replaced on the same occasion, the replacement glass shall have a light transmittance of not less than 70%.

An “exempted vehicle” is a vehicle licensed by the Council as a hackney carriage/private hire vehicle on or before 3 February 2003, in respect of which the proprietor notified the Council in writing prior to 3 March 2003 that glass already fitted to the vehicle other than in the front windscreen and two front doors had a

light transmittance lower than 70%.

Note: A tolerance level of minus 4% is allowed in relation to the measured transmittance.

- 3.3** The Council has received a request from representatives of the hackney carriage trade to review the current policy in relation to vehicle glass due to the increasing difficulty that proprietors are facing trying to find vehicles that comply with the current policy. They have also indicated that there is a high cost in replacing vehicle glazing in order to licence vehicles that comply with the Council's current policy. Copies of their requests are attached at Appendix 1.
- 3.4** Officers of the Licensing Section have made enquiries with neighbouring authorities in relation to similar policies. Detailed below is a summary of the policies of those authorities:-

Local Authority	Vehicle Glazing Requirements
Newcastle	Vehicle manufactured body tinted glass only behind the two front doors that can have less than 70% light transmittance.
South Tyneside	All rear windows behind the two front doors – minimum light transmittance of 35%
North Tyneside	All rear windows behind the two front doors – minimum light transmittance of 34%
Gateshead	All rear windows behind the two front doors – minimum light transmittance of 70%
Durham	Vehicle manufactured body tinted glass behind the two front doors that has a minimum of 70% light transmittance. However, Officers have discretion to license vehicles with windows fitted by the manufacturer with tints outside of these requirements.

- 3.5** It is proposed that the Committee consider a proposal that Hackney Carriages and Private Hire Vehicles may be permitted to use glass to the rear of the "B pillar" which has a light transmittance of less than 70%. Only vehicle manufactured body tinted glass will be permitted to be used in this area of the vehicle. The tinted glass must be part of the whole vehicle design when produced and pre-registered for that particular model and specification. No tinted glass whether manufactured or otherwise will be permitted to be added to a vehicle retrospectively following vehicle manufacture completion. No retrospective tint application or film will be permitted to be applied to vehicle glass under any circumstances. It is proposed that a minimum of 35% light transmittance is permitted in all remaining vehicle glass behind the two front doors

4.0 CURRENT POSITION

- 4.1** In order to accommodate the request of the trade, the Committee is requested to consider amending the policy described at paragraph 3.1 above. The Committee is requested to consider amending the policy to read as detailed in paragraph 4.2 below.

4.2 The significant new or amended parts of the proposed policy are shown in bold italics.

“The glazing of any vehicle submitted for licensing as either a hackney carriage or a private hire vehicle must have a light transmittance as detailed below:

- i) Front windscreen; minimum light transmittance 75%;
- ii) Both front doors vehicle glass; minimum light transmittance 70%;
- iii) ***All remaining vehicle glass behind the two front doors; minimum light transmittance of 35%.***

Note: A tolerance level of minus 4% is allowed in relation to the measured transmittance.

4.3 Additionally, the Committee is requested to consider amending the condition currently attached to the grant of a hackney carriage and private hire vehicle licence to read as detailed in paragraph 4.4 below.

4.4 The significant new or amended parts of the proposed condition are shown in bold italics.

“The glazing of the vehicle must have a light transmittance as detailed below:

The light transmittance of all glass fitted to the vehicle shall not be lower than 75% in the case of the front windscreen, 70% in the case of the two front doors ***and 35% in the case of all remaining glass.***

Note: A tolerance level of minus 4% is allowed in relation to the measured transmittance.

5.0 ALTERNATIVE OPTIONS

5.1 None submitted.

6.0 RELEVANT CONSIDERATIONS/CONSULTATION

6.1 Representatives of the Private Hire trade have indicated their support with regard to the proposed amendments to the policy and a copy of their correspondence is attached as Appendix 2.

6.2 Northumbria Police have been consulted in relation to this matter. At the time of writing no response has been received. Should Northumbria Police provide any comments prior to the meeting, they will be reported verbally.

7.0 GLOSSARY

7.1 None.

8.0 LIST OF APPENDICES

- 8.1** Appendix 1 – Hackney Carriage trade representative's requests.
Appendix 2 – City of Sunderland Private Hire Association correspondence.

9.0 BACKGROUND PAPERS

- 9.1** None.

APPENDIX 1



Station Taxis (Sunderland) Ltd

11 Riverside Road,
Southwick,
Sunderland,
SR5 3JG.

Accounts & Administration:

Tel: 0191 516 5070

Fax: 0191 516 5071

Mr. E. Humphrey
Senior Licensing Officer
Jack Crawford House
Hendon
Sunderland
SR2 8QR

23rd January 2019

Dear Sir,

RE: TINTED GLASS POLICY

With reference to recent discussions on the above, I can confirm that it is becoming increasingly difficult to purchase a new or nearly new vehicle for use as a licensed hackney carriage or private hire car that is not fitted with tinted glass.

It appears that due to the current popularity of tinted windows, combined with medical advice that tinted glass in the rear passenger compartment protects passengers (especially children) from harmful UVA rays, most vehicle manufacturers are now fitting tinted glass as standard. It can be very expensive to replace the side and rear tinted glass to conform to the present condition of licence, with a recent Toyota Avensis glass conversion costing £750.

UV radiation from the sun is associated with 90% of all skin cancers, reaching the earth as long-wavelength UVA rays and shortwave UVB rays. Apparently clear glass blocks up to 97% of UVB shortwave radiation but only about 37% of the more harmful UVA long-wavelength radiation.

Windscreens are specially treated to block the harmful UVA, but side and rear windows allow UVA to penetrate. Tinted glass blocks a much higher percentage of the harmful UVA radiation, and one study has found a 93% reduction in skin cancer deaths after UVA exposure in cars is blocked with UVA filtering glass.

This has now become a nationwide problem for taxi and PHV operators when purchasing a vehicle, leading to many Local Authorities modifying the condition of licence relating to the percentage of tint allowed on the side and rear windows in the passenger compartment.

I would like to make a formal request that the Licensing Committee consider reviewing the present condition relating to the minimum light transmittance allowed in the rear windows of a licensed vehicle, and I have also enclosed some items of information and correspondence that may be of help when considering this request.

Yours faithfully,

Trevor Hines.
Managing Director.



www.stationtaxis.com

Taxi Bookings Telephone: 0191 555-5-555 • Fax: 0191 510 5063

Registered in England No. 1958500

Incorporating Sunderland Carriage & Motor Company, City Cabs Ltd, City Private Hire, Park Lane Taxis Ltd.



South Tyneside Council

Hackney Carriage and Private Hire Vehicles – Tinted Glass Policy

On Friday 6th September 2013 the Council's Licensing and Regulatory Committee agreed a new policy to control the level of tint permitted in vehicles submitted for licensing as hackney carriages and private hire vehicles. The policy is as follows;

- All Rear Windows/Glass Minimum Light Transmittance - **35%**
- Front Windscreen Light Transmittance - 75% (legal requirement)
- Front Side Window Light Transmittance – 70% (legal Requirement)

The policy will be applied in the following way;

- Vehicles already licensed are excluded until such time as you change your vehicle.
- Vehicles with a tinted film are required to remove the film before renewal of the licence.
- Vehicles which are licensed in accordance with the council's Executive Hire Policy are exempt from the requirements of this tinted windows policy.

The introduction of a policy on the level of tint permitted is for new and changes of vehicle only with the exception of currently vehicles fitted with tinted film/vinyl or the like, which must be removed before relicensing will be permitted. Vehicles licensed under the Council's Limousine Policy are excluded from the tinted windows/glass policy.

If you are considering licensing a new vehicle or changing your existing vehicle, please contact the Licensing Section and arrange for the vehicle to be checked before you purchase the vehicle. This is to ensure that the vehicle is suitable for licensing but also to ensure that the glass fitted is above the required tint level.



North Tyneside Council

**Hackney Carriage & Private Hire
Licensing
Information Leaflet**

Consumer Protection Group
Harvey Combe
Killingworth
NEWCASTLE UPON TYNE
NE12 6UB

Tel: (0191) 6432165
Fax: (0191) 6436914
E mail:

consumerprotection@northyorks.gov.uk

Privacy Glass

The Council's policy on tinted/privacy glass is as follows:

- **Front windscreen: Minimum light transmittance 75%**
- **Two front door windows: Minimum light transmittance 70%**
- **All remaining glass fitted to the vehicle: Minimum light transmittance 34%**

Licensing Officers are able to exercise their discretion as to the suitability of a vehicle where the light transmittance of the windows is below 34%. This discretion however does not apply to the front windscreen or the front side windows.

Any vehicle that is fitted with the manufacturers original glass should satisfy the above requirements provided that this glass has not had any laminating film or secondary treatment applied.

It may be the case that vehicle glass fitted to the rear of the driver, that is to say to the rear doors, quarter lights and rear screen, may fail to satisfy this requirement even if the glass is the manufacturer's original glass.

Should you intend to licence any vehicle that has tinted windows fitted and you are concerned that the vehicle may fail to satisfy the requirements, for instance if the glass at the rear is visibly darker than glass at the front, you should check the light transmittance of the glass with the vehicle manufacturer, or contact one of the Council's licensing officers to check the light transmittance with our approved light meter before purchasing the vehicle.

In any case of doubt it is the responsibility of the person presenting the vehicle for test to prove that the glass in the vehicle complies with the Council's policy.

Regeneration and Local Services

Environment, Health and Consumer Protection Services

Hackney Carriage and Private Hire Licensing Policy 2016

(As amended April 2018)

Altogether better



PLEASE SEE 14.14 TINTS PAGE 12

The plate remains the property of the Council and must be returned upon expiry, surrender or suspension of the vehicle licence.

- 1.10. The vehicle must display the internal plate, internal driver I.D. door crests and complaint information stickers, as supplied and required by the Council, at all times. The door crests shall be fixed to the front nearside and offside doors of the vehicle in a central position (attachment by magnets is not acceptable). All vehicles must display no smoking signs as required by law.
- 1.11. Advertising may be displayed inside the vehicle and on the rear doors, panels and boot, subject to an application being made by the vehicle proprietor and subsequently approved by the Council. It should not obscure the Council signage or vehicle top sign.
- 1.12. All vehicles shall undergo an inspection by the Council's appointed testing station(s) six months from grant or as required.
- 1.13. Vehicle proprietors must inform the Council at the earliest opportunity, and in writing within 72 hours, if any licensed vehicle has been involved in an accident or sustained damage.
- 1.14. No fittings, devices or lights may be attached or carried inside or outside the vehicle that could injure or harm any passenger or other person either inside or outside of the vehicle. No lights or other fittings shall be permitted on the vehicle that would obscure any licence plates or obscure the driver's or passengers' view out of the vehicle.
- 1.15. Vehicle proprietors shall notify the Council in writing within seven days of any change of address.
- 1.16. CCTV shall be permitted in vehicles. Where such devices are fitted within the vehicle conditions at Appendix 9 shall apply
- 1.17. No animals other than those owned by fare paying passengers shall be carried in or on any licensed vehicle whilst the vehicle is so engaged under the terms of its licence.
- 1.18. Window tints shall comply with the following:
 - a) The front windscreen shall allow 75% of light to be transmitted through
 - b) The front side windows shall allow at least 70% of light to be transmitted through them
 - c) Other windows shall allow at least 70% of light to be transmitted through them.

- 14.9. Licence holders will be sent correspondence from Licensing Services in advance of the expiry of their licence and they should contact Licensing Services Administration to arrange an appointment to submit their renewal application and to arrange a vehicle fitness test. Upon meeting all the requirements of the test, a Certificate of Compliance, which lasts for one year will be issued.

NB To ensure the application process is complete before the expiry of the vehicle licence, applicants are encouraged to contact the Licensing Services on receipt of their reminder to arrange appointments for both the vehicle test and to submit their renewal application.

- 14.10. All licensed vehicles over 10 years old will be required to be tested three times each year.
- 14.11. All tests (and retests where applicable) must be paid for prior to the vehicle being presented. A failure to attend an appointed test date will normally result in a charge being imposed.
- 14.12. Where a vehicle fails its test on three consecutive occasions (including annual, six monthly, re-tests and third party inspections e.g. DVSA) or in circumstances it fails on a regular basis (although not necessarily consecutively) the proprietor and/or driver may be referred to the Council's Licensing Committee.
- 14.13. Vehicle licence holders who fail to present their vehicles for test or re-schedule their test for a date which is later than has been scheduled, will have their vehicle licence suspended. Where appointments have been re-scheduled for an earlier date and time, no action will be taken.

Window Tints

- 14.14. The Council recognises that vehicles may be manufactured with glass that is darker than that specified in the standard vehicle conditions prescribed in this policy. Because of the large costs and inconvenience associated with changing glass the Council will exercise discretion in the case of vehicles manufactured with window tints outside that standard.

Temporary Replacement Vehicles

- 14.15. The Council will allow the temporary licensing of vehicles in cases where an existing licensed vehicle suffers mechanical failure or accident damage which results in it having to be taken off the road for a period of time. Temporary replacement vehicles, which will not be subject to colour conditions, may be licensed for a period not exceeding two months.

25 LARCH AVENUE, WHITBURN, SUNDERLAND. SR6 7DS

Email: enquiries@nevehicleglass.co.uk

DATE 5/7/18	ACCOUNT NO
CONTROL NO	FLEET NO

INVOICE TO	
Rox Treasick	
16 Mayfield Court Pembury Sandstead	
TEL NO.	ORDER NO

INSURANCE	
HACANET CARRIAGE 17	
TEL. NO.	ORDER NO.
VEHICLE NAME Toyota	MODEL Avenis
REG. NO PK 16 HXP	MILEAGE

[illegible]

Installer.....

AFTER HOURS CHARGE	
SUB TOTAL	
VAT	%
SUB TOTAL	
AMOUNT RECEIVED/DUE	\$ 750.00

NOTES/GENERAL COMMENTS ON VEHICLE

INSTALLER SIGNATURE _____ ROAD TAX ☐ KEYS ☐ MIRROR ☐ WIPER ☐

REMITTANCES TO:
N.E.VEHICLE GLASS
YORKSHIRE BANK
Sort Code: 05-09-37 A/c No: 39214109

TERMS: STRICTLY 30 DAYS ONLY



ŠKODA



31st January 2019

Privacy Glass

This letter seeks to confirm that the vast majority of New Skoda cars are fitted with privacy glass as standard.

This applies mainly to the medium to large cars such as Rapid, Octavia, and Superb but not the smaller cars in the range like Citigo & Fabia.

Regards,

Terry Critchlow
Managing Director
Silbury Skoda

Silbury Skoda, Northumberland Business Park West, Cramlington, Northumberland NE23 7RH
Tel: 01670 733373 Fax: 01670 730145, enquiries@silburyskoda.co.uk, www.silburyskoda.co.uk
Registered in England and Wales 5965455 VAT Reg. No. 893 0753 00

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Aura Taxis
15 Front Street
Concord
Washington
Tyne and Wear
NE37 2BA
21ST January 2019

Dear Sir/s

Reference: Tinted Glass Policy

I am hoping to find out what reason or reasons Sunderland Council have for NOT allowing vehicles with tinted glass.

If one of the reasons is a safety issue, what proof do you have that tinted glass will make any difference to the safety of passengers or drivers? I have looked into this and the majority of councils and also police, have no reason to believe it will affect passenger safety.

If safety is still an issue why can't drivers install cctv in the vehicles which would still have a cost issue but not as much as removing the glass.

If I was to invest in a vehicle which is higher spec than the basic model the average cost is approximately £2,500 more expensive, but most will come with tinted glass(sunset glass) already fitted. Then because of your policy, I would then have to spend on average £1,200 to remove it. I find this discriminating, you are basically forcing me to drive a substandard vehicle.

I have enclosed just 2 copies of surrounding councils policies but there are many more councils who are debating this, as well as the councils who have changed policies within the last 5 year. I believe your policy is dated and needs to be discussed and if possible, changed

I look forward to your response in this matter.

Yours Sincerely,

C McAllister

C McAllister



South Tyneside Council

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APPENDIX 2

SUNDERLAND PRIVATE HIRE ASSOCIATION

1 Over the Hill Farm Steadings
Houghton le Spring
DH4 4NY
Tel: 07771 881979

Stephanie Graham
Licencing Officer
Economy and Place Directorate
Sunderland City Council

Dear Mrs Graham

Further to your email dated 21st February 2019 asking for our opinion regarding the level of tint in licensed vehicles our comments are as follows.

After researching a number of vehicle models, widely used in the trade, we feel 35% is a reasonable level of tint when considering passenger and driver safety.

However on vehicles which have wheelchair access we feel this could be lower for passenger comfort and privacy.

As opposed to exemption applications for lower level tint being decided by the regulatory committee, we propose a licensing officer from Sunderland City Council be authorised to grant an exemption if the criteria is met.

Name: John Gettins

Position: Chairman

On behalf of: Sunderland Private Hire Association