



Northumberland

County Council

Licensing and Regulatory Committee

Date: 15 February 2023

TITLE OF REPORT Hackney Carriage and Private Hire Licensing Policy – Fire Extinguishers and First Aid Kits

Report of Philip Soderquest, Director of Housing & Public Protection

Cabinet Member: Cllr Colin Horncastle, Portfolio Holder, Community Services

Purpose of Report

To update Members on the consultation and debate the recommendations below regarding the requirements for hackney carriage and private hire vehicles to carry fire extinguishers and first aid kits.

Recommendations:

- A) Agree the removal of the following conditions from the conditions attached to hackney carriage and private hire vehicles.
- A suitable and appropriate fully charged fire extinguisher shall be kept in all licensed vehicles in a secure position at all times. All fire extinguishers must be checked every 12 months, prior to vehicle testing. Such a check shall be carried out in accordance with the requirements of BS5306 Part 3 and Part 8 by a registered competent company. The date of the test and signatures must be clearly visible on a sticker attached to the extinguisher, along with the vehicle registration number.
 - Suitable and sufficient first-aid facilities must be carried at all times in the vehicle having regard to the maximum number of passengers that the vehicle has been licensed to carry.

Or

- B) Retain the conditions and consider whether suitable and sufficient training should be provided to drivers on the use of fire extinguishers.

Link to Corporate Plan

This report is relevant to the Living and Enjoying priorities included in the NCC Corporate Plan 2021-2024

Key Issues

The Council has a policy in relation to the operation and use of hackney carriage and private hire vehicles, the primary purpose of which is to ensure the safety of the travelling public

The current policy stipulates conditions are attached to all vehicles licenses, including for both types of vehicles to have within it, a fire extinguisher and first aid kit.

Although the conditions require the licence holder to ensure the equipment is within the vehicle, there is no associated condition for the driver to have undergone appropriate training in the use of the equipment, which is provided for the purposes “first aid” only. It has always been expected that in the event of a major fire, or medical emergency, that the driver would seek assistance and call 999.

On 26th October 2022, the Licensing and Regulatory Committee agreed to a consultation on the proposal to remove the relevant conditions.

The consultation ran for 12 weeks up to the 25th of January 2023.

90 responses were received. Out of the responses received 77 agreed with the proposal to remove the condition and 13 disagreed.

There are 37 additional comments. (Appendix A)

BACKGROUND

The principal legislation associated with Hackney Carriage and Private Hire licensing and associated matters is contained within the:

- Town Police Clauses Act 1847
- Local Government (Miscellaneous Provisions) Act 1976
- Transport Act 1985

Whilst the law provides a framework for licensing and sets out in general terms the standards to be met before a licence may be approved, it is not prescriptive and allows

local authorities to develop local arrangements and to attach conditions to licences which are considered “reasonably necessary”.

The licences administered by the Council under the above legislation are:

- Hackney Carriage Proprietors licence
- Hackney Carriage Drivers licence
- Private Hire Vehicle Proprietors Licence
- Private Hire Drivers Licence
- Private Hire Operators Licence

Under The Health and Safety (First-Aid) Regulations 1981, it refers to the fact that first aid kits may be a legal requirement and need to be provided by employers for employees.

The National Fire Chief Council provided the following as part of a Consultation report for the Department of Transport in 2022, regarding the Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England in reference to Emergency Equipment.

- The National Fire Chief Council (NFCC) recommend that licensing authorities require fire extinguishers to be provided in vehicles, should ensure that suitable and sufficient training is received by the drivers.
- The NFCC’s advice is that if a licensing authority elects not to require drivers to undertake training on the safe way to tackle a vehicle fire, vehicles should not be required to carry fire extinguishers and drivers advised to get out and stay out of the vehicle and call 999, rather than attempting to firefight.

The information below on car fires has been provided by Northumberland Fire & Rescue Service.

Totals

Cal Year	Number
2022 YTD*	98
2021	87
2020	106
2019	124
Total	415

Causes

Cause	2022	2021	2020	2019	Total
Accidental	22	37	47	52	158
Deliberate - others property	37	21	45	55	158
Deliberate - own property	0	2	0	0	2
Deliberate - unknown owner	15	11	2	2	30
Not known	24	16	12	15	67
Total	98	87	106	124	415

Home Office data from Fire and Rescue incident stats for car fires;

2018/2019 13235 fires of which 7158 were accidental (54%)

2019/2020 12696 fires of which 6734 were accidental (53%)

2020/2021 10850 fires of which 5914 were accidental (55%)

2021/2022 10838 fires of which 6479 were accidental (60%)

Implications

Policy	Changes to Policy
Finance and value for money	None at present
Legal	None
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Not applicable
Risk Assessment	Not applicable
Crime Disorder &	No immediate or direct implications.

Customer Consideration	Before making changes to policy consultation with those affected should take place. The hackney carriage and private hire trade have been consulted on the proposal.
Carbon reduction	Not applicable
Health and Wellbeing	None
Wards	All

Background Papers

Appendix A Additional comments from consultations.

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

	Full Name of Officer
Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	
Chief Executive	
Portfolio Holder(s)	

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