

LICENSING SUB-COMMITTEE

Date of Meeting	Wednesday, 13 July 2022
Report Subject	Fire Extinguishers in Private Hire Vehicles
Report Author	Gemma Potter

EXECUTIVE SUMMARY

For Members to consider a proposed change to the Conditions of Licence for Private Hire Vehicles in respect of fire extinguishers.

RECOMMENDATIONS

1:	<p>That Members consider the following options:</p> <ul style="list-style-type: none"> To make a change to the current conditions to allow vehicles capable of carrying 4 passengers to carry a minimum 1kg dry powder variety fire extinguisher, and vehicles equipped to carry 5-8 passengers to carry a 2kg dry powder variety fire extinguisher, in line with advice from North Wales Fire and Rescue Service To make a change to the current conditions in order to permit a minimum 1kg dry powder variety fire extinguisher to be carried in all vehicles To make a change to the current conditions to remove the size requirement for fire extinguishers in Private Hire Vehicles and allow proprietors to select a suitable sized dry powder variety extinguisher based on their own risk assessment. To keep the requirement to carry a minimum 2kg dry powder variety fire extinguisher in all vehicles
2:	<p>To amend the current conditions to add that the fire extinguisher should be suitably secured within the vehicle (or similar wording suggested by Members).</p>

REPORT DETAILS

1.00	EXPLAINING THE PROPOSED CHANGES
1.01	The regime for the licensing of Private Hire Drivers, Vehicles and Operators is laid out in Part II of the Local Government (Miscellaneous Provisions) Act 1976.
1.02	In respect of Private Hire Vehicles, Section 48(2) of the Act mentioned in 1.01 states that 'A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates'.
1.03	Section 48(3)(c) of the same states that: 'In every vehicle licence granted under this section there shall be specified— the conditions attached to the grant of the licence'
1.04	Flintshire County Council's current Conditions of Licence for Private Hire Vehicles are shown at Appendix A.
1.05	Section 14 of the Conditions state that: '...All vehicles be required to carry out a dry powder variety fire extinguisher a minimum weight of two kilos which shall be tested and maintained in accordance with the manufacturer's instructions to ensure that it is serviceable at all times. The extinguisher must be readily available for immediate use in an emergency.'
1.06	A licensed Private Hire Vehicle cannot pass its Council inspection if the extinguisher is not present. The Nominated Testing Station will check the extinguisher is the correct size and type, and is showing as charged and ready for use. The garage will place a sticker on extinguishers that have been examined.
1.07	A request from one licensed Private Hire Operator has been received, to ask that the size of the extinguishers carried in vehicles is reduced to 1kg, to bring Flintshire County Council 'in line' with the requirements of neighbouring authorities. The Operator suggested that the 2kg bottles were difficult to secure within the vehicle and because of this, there was a concern that this may be accessed by a passenger or maybe even used as a weapon.
1.08	No other requests for change have been made from the trade.

1.09	<p>Enquiries were made with North Wales Fire and Rescue Service to ask if they would be in support of Private Hire Vehicles carrying a smaller extinguisher. The Officer discussed this with his colleagues and provided the following advice:</p> <p>‘Our view is that it is a question of risk assessment. We would suggest that for a private hire saloon type vehicles and Black Cabs, a 1 litre extinguisher might be sufficient. For the larger PHVs, which carry 9 or more passengers, then a 2 litre extinguisher would be more appropriate.</p> <p>Vehicle fires can give off a great deal of heat and toxic smoke so it is important that people know the capability and limitations of the extinguisher carried in their vehicle and how to use it safely and effectively. This something which can only be achieved through regular training. Extinguishers are useful if used correctly to extinguish a small fire or one which is in the early stages of growth. However, I would rather the occupants of a vehicle got out, stayed a safe distance away from the vehicle and called us for assistance rather than try to tackle the vehicle fire themselves and risk injury’.</p>														
1.10	<p>In order to assist the Committee, a table showing the full fire extinguisher condition wording for Private Hire Vehicles from other nearby Local Authorities is shown at Appendix B.</p> <p>In summary, the size requirements for nearby Local Authority areas are as follows:</p> <table border="1" data-bbox="320 1115 1380 1384"> <thead> <tr> <th>Authority Area</th> <th>Fire Extinguisher Size</th> </tr> </thead> <tbody> <tr> <td>Cheshire West and Chester</td> <td>1kg</td> </tr> <tr> <td>Denbighshire</td> <td>None Specified</td> </tr> <tr> <td>Anglesey</td> <td>None Specified</td> </tr> <tr> <td>Wrexham</td> <td>1kg</td> </tr> <tr> <td>Conwy</td> <td>0.8 – 1.5kg</td> </tr> <tr> <td>Gwynedd</td> <td>1.5kg or larger</td> </tr> </tbody> </table>	Authority Area	Fire Extinguisher Size	Cheshire West and Chester	1kg	Denbighshire	None Specified	Anglesey	None Specified	Wrexham	1kg	Conwy	0.8 – 1.5kg	Gwynedd	1.5kg or larger
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1.11	<p>Members are asked to consider the request from a Private Hire Operator to reduce the size of the fire extinguisher carried in Private Hire Vehicles, and are urged to carefully consider the advice provided by North Wales Fire and Rescue Service.</p>														
1.12	<p>Members are also asked to consider adding to the wording of the condition, to reflect that the extinguisher must be suitably secured within the vehicle.</p>														

2.00	RESOURCE IMPLICATIONS
2.01	None

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None, however North Wales Fire and Rescue Service were asked to provide advice in terms of fire safety.

4.00	RISK MANAGEMENT
4.01	North Wales Fire and Rescue Service have advised of the risks from vehicle fires.
4.02	The Private Hire Operator has raised that there may be a risk of a fire extinguisher being used as a weapon, however this could be mitigated by the proposed requirement to change the condition to require the extinguisher to be suitably secured within the vehicle.

5.00	APPENDICES
5.01	Appendix A - Conditions of Licence for Private Hire Vehicles Appendix B - Summary of Conditions from other Local Authorities

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Local Government (Miscellaneous Provisions) Act 1976 https://www.legislation.gov.uk/ukpga/1976/57/contents
	Contact Officer: Gemma Potter Team Manager – Licensing & Pest Control
	Telephone: 01352 703371
	E-mail: gemma.potter@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	<p>Private Hire – a type of licensed vehicle which can only be booked through a licensed Private Hire Operator’s office.</p> <p>Private Hire Operator - person who is permitted to make provision for the invitation or acceptance of private hire bookings.</p> <p>Dry Powder Fire Extinguishers - Dry Powder extinguishers are filled an extinguishing agent that spreads easily and melts over flames. When the powder covers a fire, it blocks heat and oxygen, causing the fire to die down.</p> <p>Nominated Testing Station – a garage nominated by Flintshire County Council to carry out licensed vehicle testing.</p>