

Report to: General Purposes Committee Meeting – 29 February 2024

Director Lead: Matthew Finch, Director – Communities & Environment

Lead Officer: Damian Wilkins, Environmental Health & Licensing Manager

Report Summary	
Report Title	Approach to Trailers in Accordance with our Policy for Hackney Carriage & Private Hire Vehicles.
Purpose of Report	To ask Members of this Committee for approval to consult on the removal of the section on Trailers in the current version of the Hackney Carriage & Private Hire Operational Policy.
Recommendation	That Members consider if references to Trailers be removed from our Operational Policy and if approved, agree a timetable for consultation.

1.0 Background

- 1.1 The Council's General Purposes Committee has agreed a number of changes to the Hackney Carriage and Private Hire Licensing Policy. The last full review of the Policy took place in 2016 (and before that in 2012) although some minor changes have been undertaken to ensure current best practice continues to be adhered to.
- 1.2 In late August 2023, we were contacted by a local operator advising that they had invested in a luggage trailer which they intended to be used with two of their licensed Private Hire Vehicles. This was the first request received since the section on trailers (**Appendix 1**) was inserted into the policy in 2016. Investigations into the process for licensing a trailer and the appropriate testing to ensure its safety, found that our garage were unable to provide this service.
- 1.3 There are a number of issues raised by the garage in relation to trailer inspection. The main reason is that trailers do not have to have an identification number and so ensuring that the trailer tested by our garage is the one being utilised, is impossible unless we physically attached permanent ID plates.
- 1.4 In addition, a thorough inspection would have to include the underside as well as axle/wheel bearing inspection. Some trailer track widths are so narrow that we don't have sufficient equipment to carry out such an inspection.
- 1.5 Other issues identified have included questions around the time allowed; the development of an appropriate charging structure; and policy considerations around whether we would we allow a dangerous trailer to be towed away from the garage following inspection.

- 1.6 As a consequence of the above we have determined that it is not practically possible to offer this type of licence at present and therefore we are asking for this section to be removed. This will prevent any future confusion over our stance concerning the requirements around their use.

2.0 Proposal/Options Considered

- 2.1 Officers request that Members consider removing Section 19 entitled 'Trailers' from the Operational Policy as we currently have no practical way in which to deliver the regular inspection of trailers presented to our garage. If Members approve this removal, a timetable for any subsequent consultation exercise will need to be agreed.

3.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

19.0 Trailers

19.1 Trailers may only be used with the prior approval of the Council and subject to the following requirements:

- i. The driver's DVLA driving licence must cover the categories that allow the towing of trailers, currently 'BE' for cars and 'D1E' for a minibus, as amended by any subsequent legislation.
- ii. The trailer must at all times comply with all requirements of road traffic legislation, in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986.
- iii. The vehicle insurance must include cover for towing a trailer.
- iv. Trailers must not be left unattended anywhere on the highway.
- v. The speed restrictions applicable to trailers must be observed at all times.
- vi. A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use.
- vii. Trailers must be approved by the Council's nominated garage.
- viii. Trailers must undergo any inspection required by the Council and in all cases be inspected at the same frequency of vehicles.
- ix. Trailers must display an identical licence plate to the licensed vehicle. The Council may charge an administrative fee for the duplicate plate.
- x. Trailers cannot be used on a hackney carriage rank and should only be used for specific pre-booked journeys, not whilst plying for hire.