

**OFFICER DELEGATION SCHEME  
RECORD OF OPERATIONAL  
DECISION**



**TO BE UPLOADED TO THE INTERNET BY DEMOCRATIC SERVICES**

<b>Date:</b> 22/5/20	<b>Ref No:</b> 157
<b>Type of Operational Decision:</b>	
<b>Executive Decision</b> <input type="checkbox"/>	<b>Council Decision</b> <input checked="" type="checkbox"/>
<b>Status:</b> Council For Publication	
<b>Title/Subject matter:</b> Request to permit the installation of temporary protection screens in licensed vehicles during the COVID 19 pandemic subject to proposed guidance and document requirements	
<b>Budget/Strategy/Policy/Compliance</b> – Is the decision:	
(i) within an Approved Budget	✓
(ii) in accordance with Council Policy	✓
<b>Equality Impact Assessment</b> [Does this decision change policy, procedure or working practice or negatively impact on a group of people? <b>If yes</b> – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR]	NO
<b>Please see attached Body of Report and Accompanying Appendix A</b>	
<b>Decision</b>	
<ul style="list-style-type: none"> <li>To approve the installation of temporary screens in licensed vehicles during the COVID 19 pandemic subject to the guidance and document requirements as detailed in this report.</li> <li>To refuse the installation of temporary screens in licensed vehicles during the COVID 19 pandemic</li> </ul>	
<b>Decision taken by:</b>	<b>Date:</b>
Executive Director or Chief/Senior Officer	27/05/2020
<b>Members Consulted [see note 1 below]</b>	
Cabinet Member/Chair	
Lead Member	

## Notes

1. It is not generally a requirement to consult with any Members on Operational Decisions but where a Chief Officer considers it necessary to consult with the appropriate Cabinet Member and/or Lead Member, they must sign the form so as to confirm that they have been consulted and that they agree with the proposed action. The signature of the Opposition Spokesperson should be obtained to confirm that he/she has been consulted.
2. **This form must not be used for urgent decisions.**

## Report

### Background

- 1.0 Bury Council does not have a policy regarding the installation of safety screens in private hire vehicles.
- 1.1 The Government Economic Recovery plan indicates lockdown social distancing measures will be relaxed once it is considered safe to do so.
- 1.2 The Health Protection Coronavirus Restrictions England Regulations 2020 specifically exempt taxi businesses from having to close and therefore taxi drivers could continue to work since the introduction of the regulations.
- 1.3 The government has issued guidance on Working safely during COVID-19 in or from a vehicle on the 11 May 2020 and with regards to social distancing does detail as a step to be taken - Using physical screening, provided this does not compromise safety, for example, through reducing visibility.

## Report

- 2.0 A number of vehicle owners and drivers are now requesting that Bury Council permit them to install plastic / polythene screening to assist with such protection.
- 2.1 A response from the Department of Transport requesting guidance in relation to the installation of protection screening leaves the decision to each individual authority.
- 2.2 The Licensing Service is aware of a variety of screens on the market in response to the COVID 19 situation. However there is a variety of information available regarding safety testing or certification (both practically and in relation to transmission of the virus) to enable the Council to formally endorse their use, and the government guidance gives little assistance. However, the licensing service also recognises that these are unique times and want to take a pragmatic approach to public and trade concerns.
- 2.3 Whether a safety partition screen should be installed during the current COVID pandemic will be a matter for vehicle proprietors, drivers and operators to consider; alongside the travelling public to choose their preferred method of travel.
- 2.4 Plastic screening in vehicles is not a new concept and there has been the installation of some screens in other authorities to protect drivers from violent

attacks, so there is precedent for their use. However there is currently no evidence that such screening will reduce transmission and evidence exists that the virus can survive on surfaces for a period of time so there is a possibility that fitting such a screen provides an additional area that could harbour the virus. A screen may protect from spore transfer from one area of the vehicle to another protecting passengers and drivers alike but this will only be the case if subject to rigorous cleaning between passengers.

**2.5** The Department of Transport have been approached by regional licensing groups to consider whether the installation of such screens is permitted as a modification under the Road Transport construction and Use Regulations. Permanent fixtures may well be but alternative temporary, flexible options are being proposed. On the 13<sup>th</sup> May, guidance was issued by the Department of Transport which stated that the installation of protective barriers is a decision for licensing authorities, PHV operators and firm/individual operating the vehicle to make based on their own assessment of risk. They may also wish to consider:

- Eliminating the use of face-to-face passenger seating
- Use of ventilation
- Reducing occupancy to individual passengers in the back left-hand seat for vehicles that do not enable 2 metre separation; considering reducing occupancy in a larger vehicle

**2.6** Transport for London allow such screens and have agreed conditions for the choice, installation and removal of screens. Large National companies such as Uber are currently trialling partition screens in the North of England to get an understanding of how screens can be used to carry passengers on as safe a journey as possible.

**2.7** The allowance of the installation of screens can only be agreed if subject to a number of conditions re the type, manufacture, safe installation and removal following the pandemic and suggestions for these are included in the attached Appendix.

**2.8** The licensing service will require any vehicle owner proposing to install a protective screen to provide documentation to including details of the physical properties of the screen, details of relevant testing and certification of the screen, details of the proposed installer of the screen details of the cleaning and maintenance schedule of the screen.

**2.8.1** Also required will be written evidence from the vehicle owner's insurance company detailing notification, acceptance of the screen as a modification to the vehicle as well relevant cover and liability following any accident and injury.

## **Appendix A Guidance and Document Requirements for the Installation of Protective Screens in Licensed Private Hire Vehicles.**

The Council would ask that the following guidance is considered if you are to continue operating or driving a private hire vehicle and wish to install a screen/shield:

- Any fittings and equipment must comply with the Road Vehicle (Construction and Use) Regulations.
- Any screen must be tested to the relevant EU standard for an original equipment type approval test covering interior fittings
- The screen must be approved by MIRA or other comparable independent product engineering, testing, consultancy and certification organisation.

- Screens must be professionally and securely fitted in accordance with the manufacturer's instructions.
- Certification from the vehicle's manufacturer should be sought to confirm that the screen does not compromise the integrity of the vehicle structure.
- The Screen should not interfere with or compromise the operating or safety features in the vehicle (including but not limited to airbags, handbrake, gearstick ) or the vehicle type approval
- The Screen shall not be made of materials that will increase the fire risk
- The screen will be made of materials that are shatterproof and not be liable to cause injury following impact.
- The Screen shall be transparent enough so as not to interfere with the safe use of the vehicle, and to enable the driver and passengers to see each other;
- The Screen shall remain clear of scratches, clouding or stickers which would impede the drivers or passengers' visibility including the rear view mirror.
- The Screen shall be adequately and safely secured and not interfere with the safe access and egress of the driver or passengers or become easily detached during normal use.
- The Screen shall be adequately cleaned and disinfected between bookings.
- The Screen shall be cleaned and disinfected at the start and end of the working shift.
- The screen should not impede driver or passenger access or egress to the vehicle.

Proprietors/Drivers/Operators must:

- Inform insurers about the intention to fit such a device and ensure their insurance will not be invalidated as a result. Written confirmation will be obtained from the insurers and sent to the Licensing Service before installation.
- Fit/install screens at your own responsibility and in accordance with the manufacturers specifications and recommendations. Documentation relating to the type of screen to be fitted, the material the screen is made from
- Provide confirmation that the screen has been crash tested indicating safety properties of the screen will be provided to the Licensing service after the screen has been installed.
- Certification issued by the installer must be provided to the Licensing Service immediately after installation.
- Understand that this is a temporary measure and the Council reserve the right to require removal of the screen with reasonable notice
- Be aware depending on the type fitted (full front/back partition or driver only) the front passenger seat in the vehicle may be unusable in which case the maximum number of passengers the vehicle is licensed to carry will be affected.
- Ensure that frequent cleaning and disinfecting of specific areas takes place throughout each shift, i.e. door handles, seat belts and buckles and other obvious hard surfaces touched by a passenger, including areas that may have been infected following a passenger coughing or sneezing.

If an authorised officer or vehicle examiner has any concerns about the use of a partition screen in a licensed vehicle, they will speak to the proprietor and may require the removal of the device, explaining their reasons for doing so in writing.

Finally, the Council wishes to reiterate it's position that it can neither require nor prevent Private Hire drivers from working during this crisis. It simply recognises that some licence holders will work, and wishes to provide as much guidance as possible in these circumstances. We would remind those who are working that they have a

responsibility to minimise the potential for the spread of the virus by taking all possible precautions to keep themselves and the vehicles as safe and sanitised as is practically possible.