

**Bristol City Council**  
**Minutes of the Public Safety and Protection**  
**Committee**



**20 December 2022 at 10.00 am**

**Members Present:-**

**Councillors:** Christine Townsend (Chair), Amal Ali (Vice-Chair), Marley Bennett, Chris Davies, Jonathan Hucker, Brenda Massey and Guy Poultney

**Officers in Attendance:-**

Abigail Holman (Team Leader Licensing), Jeremy Livitt, Phoenix Cheung and Lynne Harvey (Legal Advisor for Minute Number 23)

**16 Welcome and Safety Information**

The Chair explained the emergency evacuation procedure for this meeting.

**17 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Richard Eddy.

**18 Declarations of Interest**

There were no Declarations of Interest,

**19 Minutes of the Previous Meeting held on 25th October 2022**

RESOLVED – that the minutes of the meeting held on 25<sup>th</sup> October 2022 be confirmed as a correct record and signed by the Chair.

**20 Public Forum**

There were no Public Forum items.



## **21 Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate**

RESOLVED – that that having regard to the quasi-judicial nature of the business on the Agenda, those Committee Procedure Rules relating to the moving of motions and the rules of debate (CMR10 and 11) be suspended for the duration of the meeting.

## **22 Consideration of Lower Age Limit In Respect of Hackney Carriage Vehicles and Current Global Impacts**

The Team Leader (Licensing) introduced this report and made the following points:

- Vehicles used as Hackney Carriage Vehicles could be retained after 3.5 years as long as they met the minimum requirements.
- There was a shortage of available microchips from China and of the components in Ukraine to make wheelchair- accessible vehicles
- In view of this, a temporary change to policy was proposed to remove the required time limit
- Details of the consultation were set out in Appendix A. There had been 10 responses to this (8 in favour with 4 requesting an extension to Private Hire Vehicles) and 2 indicating that it would be unfair just to limit this to Hackney Carriage Vehicles
- It was not yet clear how long the backlog would last

Committee members made the following points:

- A time limit was required since it could be a number of years before the situation improved
- A change was required but if the circumstances changed, this would need to be reviewed and a further report brought back
- It was important that regular updates were provided to the Committee on this issue, either at the AGM Committee meeting or earlier if necessary

The Team Leader (Licensing) confirmed that in the event there was any further proposed change this policy, they would be required to have an additional consultation.

Councillor Guy Poultney moved, seconded by Councillor Christine Townsend and upon being put to the vote, it was

**RESOLVED (6 for, 1 abstention) – that a temporary change is made to policy concerning the age limit for Hackney Carriage vehicles by removing the current age limit of three and a half years and a regular update provided to the Committee as required.**



### **23 Consideration of a Request From Clipper Automotive To Accept Retrofitted All-Electric Drivetrain LTI TX4 Vehicles for Licensing**

The Committee agreed to allow this item to be held as a hearing to enable the representatives from Clipper Automotive to make representations.

The Team Leader (Licensing) introduced this report and made the following points during as part of the presentation:

- Clipper Automotive had requested an alteration to policy to allow their retrofitted all electric LTI TX4 vehicles to be licensed
- It was noted that Clipper Automotive convert diesel powered LTI TX4 vehicles to become all electric vehicles. As indicated in Appendix A of the report, the Company state the converted vehicles have zero tailpipe emissions and reduce brake dust emissions via regenerative braking. In addition, the converted vehicles have Individual Vehicle Approval (IVA).
- The Committee also noted that Clipper Automotive have provided a report from the Vehicle Certificate Agency (VCA) to show that the vehicle meets the requirements of Economic Commission for Europe of the United Nations Regulation 100.01 (Uniform provisions concerning the approval of vehicles with regard to specific requirements for the electric power train)
- The exemption was requested in relation to the Age Limit and Wheelchair Accessibility requirements since the vehicles were considerably over the 3.5 year age limit
- Council policy required all vehicles which were rebuilt to be tested through the European Community Whole Vehicle Type Approval (ECWVTA) approval method to ensure the vehicle was safe in the event of an accident (involving crash testing and individual inspection). This would not apply in this case under IVA which did not involve crash testing and only provided a visual inspection
- The best guidance produced by the DFT in March 2022 was not statutory but officers considered that its advice concerning the requirement for an age limit and ECWTA approval was essential to ensure all Hackney Carriage Vehicles were safe
- In view of this, the Committee recommended refusal of the request

In response to Committee members' questions, the Team Leader (Licensing) made the following comments:

- The wholesale approval provided by ECWTA was the highest standard of safety
- IVA is purely a visual inspection and did not involve any form of crash testing

The representatives of Clipper Automotive made the following comments and also responded to questions from Committee members:

- The company had been founded in 2018/19 to help decarbonise the taxi industry



- All cars which it operated were now 50% diesel, 50% hybrid.
- The same scheme operated in London, Edinburgh and Birmingham as well as Bristol
- The firm was based in London
- When a car is rebuilt or radically altered, a DVLA licence is required when it hits twelve checkpoints and at that point it needs to be radically altered. The company avoided this requirement by ensuring that it never hit all twelve. Whilst the engine was frequently changed, the company generally avoided alterations to the chassis, the steering or body panels which prevented the requirement for a DVLA licence
- A government grant had been used to retrofit 2 cabs which were licensed for use in Oxford but retained for use as needed.
- A production vehicle was being developed for which approval would be sought from the appropriate Local Authorities as soon as required
- This was a new concept and since it was at an early stage of development and would take some time to ensure there were enough vehicles. Once it was required, fleet insurance would be sought in the same way as for taxi fleet operators
- All TX4 vehicles were wheelchair accessible and were cheaper than the equivalent competition
- Many Local Authorities had requested further information. Whilst some had approved the request, others had requested further information
- The company was expert in this field including crash test limits. The limits affecting the chassis, body steering and brakes were never exceeded
- The focus was on Hackney Carriages due to a lack of options for drivers. They would be operated as hackneys in Bristol.
- The target was to get at least 10 vehicles operating in 2023 and then hundreds after that with the conversion being moved to the relevant city as required

The Team Leader (Licensing) made the following points:

- It was not clear what the impact on crash testing would be of a vehicle 70 kilos heavier than normal. It was standard practice to crash test any vehicle when changes were made. The council rightly had a very high standard of safety expectation
- Current policy required the ECWVTA approval for all TX4 vehicles
- If the Committee was minded to approve this request, it was strongly recommended to carry out a consultation process first

The Legal Adviser indicated that, if the Committee decided to defer their decision the Applicant could obtain an independent expert report on its implications since the burden of proving an exception should be made to policy falls with the individual applicant.

Committee members noted that, whilst it would be a good scheme to approve as a means of ensuring a lower cost for electric vehicles and a zero emission taxi fleet, further investigation was required.

The Committee then asked both parties to withdraw to consider the application. Upon their return, the following decision was announced:



**RESOLVED (unanimously – moved by Councillor Christine Townsend, seconded by Councillor Marley Bennett) – that a decision on the application be deferred until a future meeting of the PSP Committee (as soon as necessary but no later than 12 months) to obtain the necessary evidence required to assess whether or not the proposed IVA safety test is acceptable to meet the Whole Type Standard requirements for the TX4 vehicles.**

The meeting ended at 11.45 am

**CHAIR** \_\_\_\_\_

