

GENERAL PURPOSES BOARD –14 JUNE 2023

General Purposes Board

Wednesday 14 June 2023 at 3pm

Present: Provost McKenzie, Councillors Armstrong, Brennan, Cassidy, Crowther, Curley, McCluskey, Quinn and Reynolds.

Chair: Councillor Curley presided.

In attendance:

David Keenan	Solicitor (for Head of Legal, Democratic, Digital & Customer Services)
Fiona Denver	Senior Paralegal Licensing Officer
Jim Bradley	Team Leader, Transportation & Waste Collection, Environmental and Public Protection

The meeting was held at the Municipal Buildings, Greenock with Provost McKenzie, Councillors Brennan and McCluskey attending remotely.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.

350 Apologies, Substitutions and Declarations of Interest 350

An apology for absence was intimated on behalf of Councillor Moran.

No declarations of interest were intimated.

351 Request for Suspension of Taxi Driver's Licence 351

There was submitted a report by the Head of Legal, Democratic, Digital & Customer Services requesting the Board to uphold the suspension of a Taxi Driver's Licence and to consider whether to further suspend the licence as the Board may determine. This item was continued to a future meeting all as detailed in the Appendix. There was no Member debate on this item of business.

352 Licensed Vehicle Tinted Windows 352

There was submitted a report by the Head of Service – Roads and Transportation seeking the views of the Board on the responses received following a consultation regarding the proposed relaxation of the standards set out in section K1 of the Council's Licensed Vehicle Inspection Manual relating to the level of light through a tinted windscreen and other windows in licensed public and private hire vehicles.

Mr Keenan advised the Board that Police Scotland had submitted an email on 14 June 2023 confirming the legislation regarding tinted windows in vehicles, which he summed up for the Board.

Following discussion, Provost McKenzie moved that the standards set out in section K1 of the Council's Licensed Vehicle Inspection Manual be relaxed and that the existing statement be deleted and replaced with the following statement, as detailed at paragraph 4.1 of the report:

'There will be no restriction on all tinted windows fitted but they must comply with the relevant Road Traffic Act and/or construction in use regulations requirements. Only

GENERAL PURPOSES BOARD –14 JUNE 2023

tinted windows fitted by the vehicle's manufacturer are acceptable. After market (stick on type) window tints are not permitted.'

The meeting adjourned at 3.50pm and reconvened at 4.05pm.

As an amendment Councillor McCluskey moved that the 2013 opinion contained within the report be put to Police Scotland in order to get clarity in writing as to whether or not that is still their position and that a decision be deferred to a later date.

As a further amendment Councillor Quinn moved that the standards set out in section K1 of the Council's Licensed Vehicle Inspection Manual be relaxed and that the existing statement be deleted and replaced with the following statement:

'There will be no restriction on all tinted windows fitted but they must comply with the relevant Road Traffic Act and/or construction in use regulations requirements. Only tinted windows fitted by the vehicle's manufacturer at the time of manufacture are acceptable. After market (stick on type) window tints are not permitted.'

On a roll call vote between the amendment by Councillor Quinn and the amendment by Councillor McCluskey, 2 Members, Councillors Cassidy and McCluskey, voted for Councillor McCluskey's amendment, and 6 Members, Councillors Armstrong, Crowther, Curley, McKenzie, Quinn and Reynolds, voted for Councillor Quinn's amendment. The amendment by Councillor McCluskey, having received fewer votes, then fell. Councillor Brennan abstained from voting.

At this point in proceedings it was agreed that the amendment by Councillor Quinn was acceptable to Provost McKenzie, who withdrew his motion.

The meeting adjourned at 4.25pm and reconvened at 4.45pm.

Decided:

- (1) that the content of the report be noted; and
- (2) that the standards set out in section K1 of the Council's Licensed Vehicle Inspection Manual be relaxed and that the existing statement be deleted and replaced with the following statement:

'There will be no restriction on all tinted windows fitted but they must comply with the relevant Road Traffic Act and/or construction in use regulations requirements. Only tinted windows fitted by the vehicle's manufacturer at the time of manufacture are acceptable. After market (stick on type) window tints are not permitted.'