

LICENSING REGULATORY COMMITTEE

Suitability of Portable Fire Extinguishers in Taxis 31st August 2017

Report of Food, Safety & Licensing Manager

PURPOSE OF REPORT

To enable Members to consider and determine whether to amend the current licence condition in relation to the type of fire extinguisher required to be carried in a hackney carriage and private hire vehicle.

This report is public.

RECOMMENDATION

That Members consider the advice received from VOSA on the potential risks posed by the use of dry powder fire extinguishers in vehicles carrying passengers and consider an amendment to the Rules, Regulations and Procedures for Hackney Carriage and Private Hire Licensing to specify the type of fire extinguisher required to be carried in a licensed vehicle.

1.0 Introduction

- 1.1 During the recent vehicle compliance checks previously reported to this Committee on the 13th July 2017, officers working for VOSA raised concerns about the use of dry powder fire extinguishers in confined spaces with passengers. It is understood that there is a risk that the discharge of a dry powder fire extinguisher in a vehicle carrying passengers could place the passengers at risk of asphyxiation.
- 1.2 There is a requirement within the Council's Rules, Regulations and Procedures for Hackney Carriage & Private Hire Licensing to provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use. However, we do not provide any further description or specification and we do not prohibit the use of dry powder type fire extinguishers.
- 1.3 Further advice has been sought from VOSA and the Fire Service to clarify the position. The response from VOSA is included as Appendix 1 to this report. The advice from the Lancashire Fire & Rescue Service was provided verbally, and although the officer could not provide absolute clarity or point to specific guidance, his advice was similar to that given by VOSA in that dry powder extinguishers can pose a risk of asphyxiation. There has also been a recent change to British Standards for fire extinguishers prohibiting use in public service vehicles, but this appears to be due to the reduction in visibility when the extinguisher is discharged.

- 1.4 A search of the internet has not produced any clear guidance on the use of dry powder extinguishers in taxis, but there are several references to warnings that dry powder should not be used where there is a risk of inhalation or significant contact with skin due to its corrosive nature.
- 1.5 A request to other North West Licensing Authorities to share their advice on the use of extinguishers in taxis has returned a mixed response. At the time of writing this report, there is no clear majority view although a number of responses confirmed that the advice in the case of fire would be to leave the vehicle and not attempt to fight the fire, relying instead on seeking the assistance of the Fire Service.

2.0 Proposed Advice

- 2.0 In the absence of clear statutory guidance or legislation on the safe use of dry powder fire extinguishers, it is proposed to defer to the VOSA and Lancashire Fire & Rescue Service advice and make appropriate amendments to our Rules, Regulations and Procedures for Hackney Carriage & Private Hire Licensing.
- 2.1 The amendment would require that a suitable foam based fire extinguisher shall be carried within the vehicle and be readily accessible, ensuring that it is regularly checked, that it is in good condition and fully charged. The fire extinguisher will be required to meet applicable current UK standards.

3.0 Conclusion

- 3.1 Members are asked to consider the matter raised in this report and the proposal to amend the licence conditions within the Council's Rules, Regulations and Procedures for Hackney Carriage & Private Hire Licensing in respect of suitable portable fire extinguishers to be carried.
- 3.2 If Members are minded to agree with the proposal to amend the licensing conditions, as outlined above, it may be reasonable to agree a period of time for licence holders to replace their existing fire extinguishers to comply with the amendment. Officers suggest a period of 6 months would be acceptable.

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The changes proposed should help reduce potential injury to passengers and drivers of hackney carriage and private hire vehicles.

FINANCIAL IMPLICATIONS

Financial Services have not been consulted.

LEGAL IMPLICATIONS

Any person aggrieved by a condition attached to a licence has the right of appeal to the Magistrates' Court.
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BACKGROUND PAPERS

The background papers are exempt

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