

Body: General Licensing Committee

Date: 18th March 2013

Subject: Hackney Carriage and Private Hire Vehicles – Door Livery and Internal Identification

Report Of: Jay Virgo, Senior Specialist Advisor

Ward(s) All

Purpose That the Licensing Committee be requested to review the decision made at its meeting on 16th January 2012 in respect of signage on Taxis and Private Hire vehicles, following guidance from Scrutiny Committee held on the 10th December 2012.

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1.0 Introduction & Background

- 1.1 On the 16th January 2012 General Licensing Committee considered a report concerning the livery of taxi and private hire vehicles in the Borough. This is included as Appendix 1
- 1.2 The minutes of the report of the 16th January 2012 are included in Appendix 2 with the following resolution:

That new vehicle livery for hackney carriage and private hire vehicles be approved to permit two separate door signs as follows:

(1) (i) (By 6 votes to 3) A permanent Council corporate sign, to incorporate the Council Corporate branding requirements, to include the Council crest and logo, the colour differential of blue for hackney carriages and yellow for private hire vehicles, and wording as detailed in Appendix 10 of the report, to be located on the front nearside and offside door of the vehicle.

(NB: An amendment to permit the use of permanent or magnetic Council corporate door signage was lost by 6 votes to 4).

(ii) In order to prevent forgeries and any variations in content, the Council corporate sign shall only be sourced and supplied by the Council's Licensing Department or their nominated supplier.

(2) (i) A second optional magnetic or permanent door sign to include business specific advertising, to only include the information as detailed in Appendix 10 of the report, with an amendment to permit the use of a website address, to be located on the back nearside and offside door of the vehicle.

(ii) That written consent must be obtained from the Licensing Manager to

approve the content of the optional advertising sign prior to display.

(3) That the size of both door signs shall each be 22cm by 58cm.

(4) That the hackney carriage and private hire vehicle licence conditions be amended to reflect the approved vehicle door livery with revisions as a result of the decision at Appendix 11.

(5) That the hackney carriage and private hire vehicle licence conditions be amended to require the display of 2 internal identification plates in the approved form at the front and rear of the vehicle in a prominent location to be visible at all times to passengers.

(6) That compliance with the new vehicle livery for existing hackney carriage and private hire vehicles shall be by no later 1 April 2013.

- 1.3 Following the decision by General Licensing Committee a petition was compiled by licensed drivers in the Borough. This was submitted at the Taxi and Private Hire Forum on the 9th May 2012.
- 1.4 The petition, included in Appendix 3, consists of 92 signatures. It challenges the decision made by General Licensing Committee on the 16th January 2012 requiring permanent corporate livery on all hackney carriages and private hire vehicles licensed by Eastbourne Borough Council and further corporate identification in the rear of licensed vehicles.
- 1.5 Correspondence was received from Mr Martin Reeves, taxi proprietor, dated 6th June 2012 supporting the decision made by the General Licensing Committee on the 16th January 2012. This is included as Appendix 4.
- 1.6 Following the receipt of the petition submitted by members of the licensed trade, the issue was raised with the Head of Corporate Development for direction and advice on appropriate constitutional options for re-consideration of this matter in light of the petition received. Subsequently, the Chair of Scrutiny requested that the decision relating to the requirement for permanent signage be scrutinised to enable resolution.
- 1.7 This information was relayed to the licensed trade at the Taxi and Private Hire Forum on the 17th September 2012.
- 1.8 At the forum on the 17th September 2012 members of the taxi and private hire trade also re-iterated their discontent at the decision to include rear interior identification stickers to all licensed vehicles. A copy of one of the stickers is included in Appendix 5.
- 1.9 It was suggested by trade members that these identification stickers are; unsightly, quickly become shabby, obscure vision and are easily removed by passengers and therefore should be included as a matter of consideration for Scrutiny Committee.
- 1.10 Correspondence from the Unite Trade Union, representing members of the taxi trade, was received by the Licensing Team on the 15th October 2012 and is included as Appendix 6.

1.11 The correspondence states that a petition had been collated from members of the taxi trade whom had signed the petition to voice their concern at the decision to enforce permanent livery as per the resolution passed on the 16th January 2012.

1.12 On the 18th October 2012 the petition was submitted to the Licensing Team and is included in Appendix 7. The petition consists of 72 signatures from members of the Eastbourne Hackney Carriage trade who express their concern that the enforcement of permanent livery will disadvantage them for the following reasons:

- Cost of removing and re-painting before selling vehicle at the end of its viability as a licensed vehicle
- Confusion caused when licensed vehicles are used for private use as members of the public may presume the vehicle is available for hire
- It would restrict the opportunity that drivers have to source wedding and executive work, as the permanent livery would deter potential customers

1.13 Sussex Police have been contacted in relation to whether they have any strong opinion in relation to permanent livery and it has been indicated that there is no strong feeling.

1.14 On the 10th December 2012 Scrutiny Committee deliberated the issue. As per the minutes included in Appendix 8, Scrutiny Committee resolved the following:

(1) That the Licensing Committee be requested to review the decision made at its meeting on 16 January 2012 in respect of signage on taxis and private hire vehicles, in particular the requirement for Council corporate livery of a *permanent* nature on hackney carriage and private hire vehicles as opposed to removable magnetic livery.

The justification for the review being:

Questions over whether a policy of permanent livery as opposed to magnetic removable livery goes beyond what is necessary and reasonable to provide a safe, accessible and identifiable service for the travelling public, and in particular whether public safety would be maintained by removable livery;

Concerns over whether the cost of complying with a policy of permanent signage would, at a time of economic hardship, place a financial strain on members of the licensed hackney carriage and private hire trade which is not justified.

(2) That Licensing committee also be requested to review the decision to include rear interior identification stickers on the grounds that these stickers are perceived to be unsightly, quickly become shabby, obscure vision and are easily removed by passengers.

1.15 Scrutiny Committee decided a review of the decision made by Licensing Committee on the 16th January 2012 is within the spirit of local democracy and good practice. This is on the basis that concerns over the decision have

been extensively raised by the licensed trade, that more than 6 months has passed since the decision of the licensing committee, and the effect of the decision has yet to be implemented.

2.0 Options Open for Committee

- To find in favour of the original decision made by General Licensing Committee on the 16th January 2012.
- To amend the original decision made by General Licensing Committee on the 16th January 2012 in light of the request made by Scrutiny Committee on the 10th December 2012.