

Body: GENERAL LICENSING COMMITTEE

Date: 16th January 2012

Subject: Future Form and Content of Vehicle Livery Signage in Respect of all Council Licensed Hackney Carriage and Private Hire Vehicles.

Report Of: Kareen Plympton, Licensing Manager

Ward(s) All

Purpose To outline the current position in relation to licensed vehicle livery, to consider mechanisms to improve their identification, to include a revised Council Corporate standard, alongside managed business specific advertising on licensed vehicles.

Options Open to the Committee Determine whether to:

- (1) Approve new vehicle livery to permit 1 single door sign for display on the front nearside and offside doors to include Council corporate requirements and business specific advertising.
- (2) Approve new vehicle door livery to permit 2 separate door signs, the first to include Council corporate requirements to be located on the back nearside and offside door of the vehicle. The second magnetic door sign to include business specific advertising on a separate door sign to be located on the front nearside and offside door of the vehicle.
- (3) Make no changes to the current vehicle livery.

Subject to the above:

- (1) Amend the vehicle licence conditions to reflect any changes.
- (2) Where changes are agreed, agree an implementation for the above.

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1.0 Introduction

1.1 Currently, all licensed hackney carriages and the vast majority of private hire vehicles must display door signs as part of their vehicle licence conditions, unless they have applied for a Council exemption.

- 1.2 These door signs can be either magnetic, and therefore easy to remove, or permanent, removed with a heat source, for example, a hairdryer. Such signage must be located on the front nearside and offside doors.
- 1.3 All licensed hackney carriages and the vast majority of private hire vehicles must display an internal and rear identification plate. In respect of Hackney Carriage Taxis, the rear plate is blue, and for Private Hire, the rear plate is yellow.
- 1.4 Hackney carriages must also display an approved roof sign, the form and content of which is as stipulated by the Council as Licensing Authority.
- 1.5 Licensed vehicles remain licensed at all times, and must only be driven by licensed drivers. Individuals undergo a series of tests, including a Driving Standards Agency Drive Test and an Enhanced Criminal Records Bureau check at the time of application, and subsequently every 3 years. Drivers must also periodically undertake a Group II Medical assessment to ensure that they are medically fit.
- 1.6 These checks aim to ensure that drivers' are "fit and proper." It is intended that this helps to minimise risk, promotes the safety of the public, and provides an appropriate, accessible transport service.
- 1.7 Vehicle livery, in the form of roof signs, door livery and internal/external identification plates help to ensure that the hackney carriage and private hire vehicles maintain a professional, easily identifiable, Eastbourne specific image.

2.0 The Historic Position

- 2.1 In December 1997, the Health and Public Protection Committee agreed to adopt new corporate livery requiring:
 - all licensed vehicles to be white , save for a few exceptions;
 - a single door sign to be displayed on the front doors of the vehicle incorporating both Council and business specific information;
 - unification of design and colours for hackney carriage roof signs.
- 2.2 At this meeting, Members agreed that door sign be placed on the near and offside front doors, but did not specify a size. It was decided that the wording should be set against a white background and that the door sign should incorporate the Council crest.
- 2.3 However, the Committee did not stipulate the size, colour, or font of the content of the door sign, be it wording or imagery, and nothing was formally recorded in the minutes.
- 2.4 The lack of clarity has made identification and enforcement virtually impossible, leading to wide variations in the form and content of door signage, especially within the hackney carriage taxi trade. Examples demonstrating the variance of current door signs are included at Appendix 1.
- 2.5 In 2005, the General Licensing Committee agreed to implement a colour difference between hackney carriages, requiring these to be entirely white, and private hire vehicles, to be "any colour other than white." This was

designed to make them distinct and different from one another and identifiable to the travelling public and enforcement agencies. Currently, many private hire vehicles are silver; however this is the decision of the Operator, and not something the Council as the Licensing Authority has control over.

- 2.6 Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976 affords the Council the discretion to grant a proprietor a dispensation from displaying the licence plate and other vehicle livery on their licensed private hire vehicle. Each application for a dispensation is considered on its' own merits. To date, this has only been afforded to executive vehicles undertaking this type of work.
- 2.7 It should be noted that in accordance with the law, both hackney carriages and private hire vehicles remain licensed at all times, and should only be driven by a licensed driver.
- 2.8 It is irrelevant whether the vehicle is used for non occupational purposes, and any livery and signage required by the Council should be displayed at all times the vehicle is working, unless an exemption has been granted.

3.0 Current Position

- 3.1 The multitude of current designs displayed by members of the Trade who operate, or act as the proprietors of licensed vehicles, make identification as an Eastbourne licensed vehicle difficult.
- 3.2 The adoption of new interior and exterior plates in 2006 has helped to highlight vehicle plate details and differentiate between hackney carriages, which display a blue identity plate, and private hire vehicles, which display a yellow identity plate. Examples of the plates currently in use will be presented at the Committee meeting. This has gone some way in aiding identification, but further steps need to be taken to rectify challenges in relation to door livery.
- 3.3 Currently, the door signs displayed by both hackney carriages and private hire vehicles are of a similar design.
- 3.4 It could be argued that this contravenes Section 48 (1)(a)(ii) of the Local Government (Miscellaneous Provisions) Act 1976. It provides that a private hire vehicle is:

"Not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage."
- 3.5 Given the current arrangements, members of the public could be confused by the array of door signs that are presented to them on Eastbourne's licensed vehicles.
- 3.6 It is also evident that the public do not understand the differences between a hackney carriage or private hire vehicle. The current door livery does little to inform the public of the differences, is cluttered with information which does little to aid identification, and cannot be easily seen.

- 3.7 In order to avoid this situation, it must be made clear exactly what an Eastbourne licensed vehicle is, and what it should look like.
- 3.8 This would therefore enable hackney carriage vehicles to legally ply for hire, as well as informing members of the public of the differences between it and a private hire vehicle. This is only available via "prior booking only."

4.0 Current Vehicle Conditions and Byelaws

- 4.1 The conditions relating to all vehicle licences are included at Appendix 2. The relevant conditions relating to livery and advertising are highlighted in bold.
- 4.2 Members will note that the current vehicle conditions require that any signage is approved by the Council. However, given that the typeface, content, font and size of wording and imagery permitted on door signs was never formally recorded, or stipulated by the Committee in 1997, this has made consistency and enforcement virtually impossible, resulting in wide variations in form and content.
- 4.3 Members will also note that the conditions for both hackney carriage vehicles and private hire vehicle preclude advertising of any sort, unless prior approval has been obtained from the Council. These conditions will require revision if the Committee agrees to permit more extensive business specific advertising.

5.0 Consultation - Vehicle Livery and Advertising

- 5.1 The form and content of vehicle livery and advertising has been the topic of ongoing discussion at the Taxi and Private Hire Forum since 2004. The full minutes of the Forums can be found at www.eastbourne.gov.uk/taxis
- 5.2 However, there has been an ongoing consensus amongst the Trade that advertising needs to reflect the changes in technology, and vehicle livery, particularly door signs, require updating and revision.
- 5.3 At the most recent Forum in July 2011, it was agreed that a Vehicle Livery and Advertising Group, comprising of members of the Trade, and the Licensing Team be convened to discuss the issue of vehicle livery and advertising.
- 5.4 In June 2011, Eastbourne and Country 720 Taxis presented a revised livery sign for consideration by the Council's Licensing Manager, as part of a new company branding exercise.
- 5.5 This proposal was rejected on the grounds that it did not meet the broad parameters set by the Committee in 1997. The Company lodged an appeal to the Licensing Manager regarding this refusal, and asked that the matter be revisited by the General Licensing Committee, adding further impetus to the debate surrounding vehicle livery and the need to revisit it.

6.0 Vehicle Livery and Advertising Group

- 6.1 The key points of the meeting are included below. In summary:
- There was unanimous agreement that the wide variation in signs created confusion and the Licensing Team were criticised for not enforcing the

parameters set by the Committee in 1997. It was explained by the Licensing Manager that the Committee in 1997 had set very broad parameters, making enforcement and consistency virtually impossible.

- The hackney carriage trade representative, Mr Peter Smith, strongly supported the idea of two separate signs with the blue and yellow backgrounds to differentiate between hackney carriage and yellow for private hire vehicles, to ensure that the differences between hackney carriage and private hire vehicles are more apparent to enforcement agencies and the travelling public.

Mr Smith was adamant, that in accordance with the law, door signs should be permanent to ensure that the vehicle is used as a licensed vehicle at all times.

- The Private Hire representatives, Sussex Cars, Radio Cars and Call A Cab did not support any change, but favoured the use of a single sign.

- Eastbourne and Country 720 taxis strongly supported the blue and yellow colour difference and the use of 2 signs, one offering company specific advertising on the front doors of the vehicle, and the other corporate information in a smaller sign on the back doors.

- There were concerns about the relative cost of 2 signs. It was explained that the current varying signage used by the Trade could be used to fulfil the company specific advertising sign, and that, in the first instance, the Licensing Authority would cover the cost of a second, corporate specific sign. The average cost of a pair of magnetic signs is approximately £20, with permanent signs costing around £10. Vehicles can use their existing signage as business advertising on the front of the vehicle, and the only cost involved would therefore be linked to the Council corporate sign. However, the cost of the first set could be met from the Council budget.

- There was also a debate about whether the signs should be permanent or magnetic, with the majority favouring magnetic. The law on this, requiring the vehicle to remain as a licensed vehicle at all times, and that it should not be used by an unlicensed person for other purposes. Rear plates and related information should remain in situ at all times, unless an exemption had been applied for.

- Advertising of business specific information in a designated location on the vehicle was supported by the Group, but other non Trade related advertising was rejected on the grounds it would be cluttered and confusing to the public.

7.0 Questionnaire and Consultation with Trade

7.1 A questionnaire was sent out to all 421 hackney carriage proprietors and those holding private hire vehicle licences. Unsolicited responses were also received from three Private Hire Operators.

7.2 The covering letter and questionnaire, along with pictorial images suggesting two options in relation to new vehicle livery are included at Appendix 3. A third option of "no change" was also included.

- 7.3 82 people responded to the questionnaire. Responses were also received from three private hire operators: Sussex Cars (now amalgamated with Radio Cars,) Eastbourne and Country 720 Taxis and Call A Cab.
- 7.4 This represents 19.5% of the Trade, suggesting that 80.5%, 339 do not have a view on the matter.
- 7.5 The results of the questionnaire are included at Appendix 4.

Permanent or Magnetic Door Signs

- 7.6 Of the 82 respondents, 46 respondents stated that they preferred magnetic door signs, with 9 indicating that they did not mind either magnetic or permanent door signs. The remainder did not offer a view.
- 7.7 A proportion of the Trade are resistant to permanent door signage as they use the vehicle for other purposes and, whilst not lawful, also permit their spouses to drive it. There is also a suggestion that the vehicle may be more at risk of being broken into if it is more readily identifiable, although this has not been substantiated.
- 7.8 Several individuals within the Trade persist in not affixing the magnetic door signs as required when operating. This is a breach of licence conditions which stipulate that door signage should be displayed at all times. It is often claimed that the magnetic door signs have "flown off" when driving at speed, or have been stolen.
- 7.9 In 2006, a serious incident took place where magnetic signs had been stolen from an Eastbourne licensed vehicle and placed on another car. A male offered transport to the females who believed that they were using a licensed vehicle. Police were unable to identify the offender. A similar incident involving magnetic door signs stolen from a taxi in Horely occurred in November 2011, and remains a risk if magnetic signs are retained.
- 7.10 It is common practice for other trades people to have permanent signage displaying business and other information on the vehicle that they use in connection with their business.

8.0 Supplementary Responses from the Trade

- 8.1 Responses were also received from the following, and are included at Appendix 5.
- Mr Peter Smith, Independent Hackney Carriage Proprietor;
 - David Hopkins, Eastbourne and Country 720 Taxis
 - Mr Bob Bremmer, Sussex Cars
 - Julian Ledger, Call A Cab

9.0 Feedback from Enforcement Agencies

Sussex Police

- 9.1 Inspector Steve Tullett of Sussex Police advises that in his professional view, a change in the form and content of the vehicle livery is essential. The Police

view is that the current door signage is over populated with information, makes identification and enforcement challenging, and is confusing to the travelling public.

- 9.2 He is of the view that a separate door sign containing Trade specific advertising within Council specified parameters is understandable; enabling the business to market itself, but this should be kept entirely separate so that information is not confused. A separate Council corporate version containing the Council branding, plate number and wording/colours to differentiate between hackney carriages and private hire vehicles is essential.
- 9.3 The full response is included at Appendix 6, and Inspector Tullet will attend and address the Committee.

The Council Licensing Team

- 9.4 The Licensing Team, as the primary enforcement body submit that livery needs to be revised and that Council corporate information needs to be kept entirely separate from any business specific advertising. Information needs to be easy to understand, large and as simple as possible to promote public safety and facilitate identification.
- 9.5 The Team currently receives positive and negative information about particular vehicles and drivers. However, no further action can be taken or feedback given, as frequently, the passenger is only able to specify the company name or telephone number.
- 9.6 This is a particular problem where Officers are investigating incidents involving the hackney carriage trade. Having a distinct, colour specific corporate Council door sign on the passenger door, with Council crest and logo, the wording "HACKNEY CARRIAGE or "PRIOR BOOKING ONLY" and the vehicle plate number would simplify identification, assist in the timely investigation and resolution of matters.

Disability Involvement Group (DIG)

- 9.7 At the last DIG in November 2011, the fifteen attendees, unanimously agreed that two separate door signs, one sign containing company specific advertising on the front door, and second Council coloured, corporate branded information on the rear as the favoured option. The Group considered that Council specific information was the most important and should be the most prominent and easiest to identify. The full response from the DIG is included at Appendix 7.
- 9.8 The Group were strongly in favour of a Council corporate sign similar to that already instated on the new, purpose built Wheelchair Accessible Vehicles (WAVs) agreed by the General Licensing Committee in April 2009. An example of this is included at Appendix 8.

Nightwatch Group and Business Crime Manager

- 9.9 At its last meeting in November 2011, members of Nightwatch were consulted about the proposed changes to vehicle livery. The group has been established to work together as the night time economy and enforcement agencies to promote safer socialising and ensure venues are operated appropriately.

- 9.10 Supported by the Nightwatch Chair, Andrew Morris, and Trish Pyboush, Eastbourne Borough Council's Business Crime Manager, the Group unanimously agree that two separate door signs is the most appropriate way forward. Their full response is included at Appendix 9.

10.0 Corporate Signage Requirements

- 10.1 With two separate door signs, the Council corporate door sign could be permanent, and only be sourced either directly from Eastbourne Borough Council, or their nominated supplier(s.) This should prevent forgeries and any variations in content. Appendix 10 provides an overview of what could be included in hackney carriage and private hire signage.
- 10.2 The Committee may wish to consider a Policy which requires any Council corporate signage to be made permanent. Any business specific advertising door signage could be magnetic, enabling it to be removed and updated as Company advertising changes.
- 10.3 A proportion of the Trade undertake school contract work on behalf of East Sussex County Council and must display County Council signage when undertaking such. On these occasions, the magnetic advertising signage could be removed, and replaced with the signage required by East Sussex County Council.
- 10.4 A key concern of the Trade is the additional cost of any new door signage. It is suggested that the current door signs used by the Trade can be used as business specific advertising, resulting in no cost to the Trade.
- 10.5 It has also been established that the cost of the first, pair of permanent Council corporate door signage could be met from the Licensing budget. Therefore, there is no initial outlay on the part of the Trade.
- 10.6 If a proprietor does not wish to avail him or herself of business specific advertising signage, there will be no requirement to display it.

11.0 Size, Location and Display of Signage

- 11.1 If the Committee opt for a single door sign, it is proposed that the size and shape of door sign be of a size so that it fits the top half of the front near and offside door of a standard saloon vehicle. The suggested size is 22cm by 58 cm and include the blue background to denote a hackney carriage vehicle and yellow background in the case of a private hire vehicle.
- 11.2 If the Committee, is minded opt for two separate door signs, one containing business specific advertising, and the other prescribed corporate Council information, it is proposed:
- The optional advertising sign be 22cm by 58cm and be placed on the front nearside and offside doors of the vehicle. This will enable proprietors to use their existing signage if they wish to avoid additional costs being incurred.
 - The Council Corporate sign be the same size as the above, or a similar size to that denoted in the picture at Appendix 8, currently 19cm by 28.5 cm to

incorporate the Council Corporate branding requirements and wording as detailed in Appendix 10. This should include the colour differential between vehicle types.

- 11.3 In some instances, proprietors may not wish to provide advertising of any sort on their vehicle, in which instance, only the corporate signage would be required.
- 11.4 If the Committee agree to business specific advertising on vehicles as part of the livery, vehicle conditions will need to be amended to reflect this. A set of revised, draft conditions are included at Appendix 11. .
- 11.5 In the case of 2 door signs being approved, on the occasions where the vehicle has assigned to undertake East Sussex County Council School Contract work, then the driver could remove the business specific advertising sign on the front door, and replace it with the signage required by the County Council. It could be that Members decide that Eastbourne Borough Council corporate signage should be permanent, but if the Committee decides against this, signs must be retained on the vehicle at all times when working.

12.0 Conclusion

- 12.1 It is clear that a review of the current vehicle livery and conditions are required. Whilst the views of the Trade are key, any decision taken should seek to promote public safety, and be approached in the interests of the travelling public.
- 12.2 It is submitted that the only practical way to ensure conformity, and to set a consistent standard in respect of vehicle signage is for the Committee to agree defined a Council door sign, whose design will be applied to all hackney carriages and the vast majority of private hire cars, save those that claim exemption under Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976.
- 12.3 The Council, as Licensing Authority has a duty to ensure that it takes all reasonable steps to provide a safe, accessible service, with vehicles that are easily identifiable to residents, schools, visitors and businesses.
- 12.4 It is important that key information is included to differentiate between hackney carriage and private hire vehicles, and that a vehicle is easy to identify in the event of an issue arising. It is also essential that signage reflects that it is licensed by Eastbourne Borough Council.
- 12.5 The current variations in vehicle livery have created confusion amongst the travelling public, makes individual identification difficult, whilst also lacking an overall corporate identity. A more robust, specified approach to the Council corporate signage requirements is needed, as well as measures to improve the identification of Eastbourne licensed vehicles.

13.0 Key Considerations For the Committee

- 13.1 In reaching its decision regarding the future of vehicle livery for Eastbourne licensed hackney carriage and private hire vehicles, Members must approach its

decision in the interests of the travelling public. Public safety is of the utmost importance.

13.2 In addition, Members will need to have regard to the views of:

- The hackney carriage and private hire Trade;
- Sussex Police, and other enforcement agencies;
- The Disability Involvement Group;
- Nightwatch and the Business Crime Manager.

14.0 Human Rights Act 1998-Implications

14.1 Article 1 of the First Protocol is concerned with the protection of property and provides that every person is entitled to peaceful enjoyment of his possessions. The term 'possessions' is given a broad definition and includes a licence, however in order to meet the requirements of obtaining that licence, a series of steps must be taken and conditions complied with, specified by the council as the Licensing Authority.

14.2 The Committee must consider the following if they wish to interfere with a right as established in the Human Rights Act 1998:

- The interference must be in pursuit of a legitimate aim
- The interference must be "prescribed by law"
- The interference must be "necessary in a democratic society"

14.3 The introduction of new vehicle livery, specifically door signs is to aimed to increase public awareness and safety, is prescribed by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 and is necessary to deter illegal operatives, and to prevent crime, disorder and anti social behaviour. It will also further professionalise the image of the trade and the Town.

14.4 It should also be emphasised that any "aggrieved party" has a right of appeal to the Committee decision to the Magistrates Court..

15.0 Options Open to the Committee

Members can determine whether to:

(1) Approve new vehicle livery to permit 1 single door sign for display on the front nearside and offside doors to include Council corporate requirements and business specific advertising.

(2) Approve new vehicle door livery to permit 2 separate door signs, the first to include Council corporate requirements to be located on the back nearside and offside door of the vehicle. The second magnetic door sign to include business specific advertising on a separate door sign to be located on the front nearside and offside door of the vehicle.

(3) Make no changes to the current vehicle livery.

Subject to the above:

- (1) Amend the vehicle licence conditions to reflect any changes.
 - (2) Where changes are agreed, agree an implementation timetable for the above
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16.0 Right of Appeal

16.1 Any person aggrieved at the decision taken by the General Licensing Committee has a right of appeal to the Magistrates Court within 21 days of the decision being taken, by virtue of Section 48(7) of the Local Government (Miscellaneous Provisions) Act 1976. An "aggrieved person" in this context would include a hackney carriage and private hire vehicle proprietors

**Kareen Plympton
Licensing Manager**

Background Papers

- *Benson v Boyce* [1997] RTR 226
- *Hawkins v Edwards* [1901] 2 KB 169
- Local Government (Miscellaneous Provisions) Act 1976/1982
- Town Police Clauses Act 1847
- Regulation 100 of the Road Vehicles (Construction and Use) Regulations 1986
- *Yates v Gates* [1970] 1 All ER

Monday 16 January 2012 at
6.00pm

General Licensing Committee

MEMBERS: Councillor THOMPSON (Chairman) Councillor SHUTTLEWORTH (Deputy Chairman), Councillors Mrs COLES, COOKE, Mrs HEARN, LIDDIARD, MURRAY, TAYLOR, UNGAR, WARNER and Mrs WEST.

(Apologies for absence were reported from Councillors Mrs Heaps and Murdoch).

5 Minutes.

The minutes of the meeting held on 10 October 2011 were submitted and approved and the Chairman was authorised to sign them as a correct record.

6 Declaration of Interests.

None were received.

7 Future Form and Content of Vehicle Livery Signage in Respect of all Council Licensed Hackney Carriage and Private Hire Vehicles.

The Committee considered the report of the Licensing Manager regarding the future form and content of vehicle livery signage in respect of all council licensed hackney carriage and private hire vehicles.

Currently all licensed hackney carriage and the vast majority of private hire vehicles must display door signs as part of their vehicle license conditions, unless they have applied for and been granted a Council exemption. Currently either magnetic or permanent door signs are permitted. It was noted that the primary purpose of the licensing regime was to provide a safe, accessible, identifiable service for the travelling public.

In December 1997, the Health and Public Protection Committee had agreed to adopt new corporate livery. Details in respect of the size, colour, content or font of the door signs had not been stipulated which had led to wide variations particularly amongst the hackney carriage trade. Examples of the variations in the form and content of door signs currently displayed by members of the Trade were appended to the report. It was also highlighted that there were many similarities between the signs displayed by the private hire and hackney carriage trade, which could cause legal difficulties and be confusing for the travelling public.

The adoption of new interior and exterior plates in 2006 had helped to highlight vehicle plate details and differentiate between hackney carriages, which display a blue identity plate, and private hire vehicles, which display a yellow identity plate.

It was important that vehicle livery maintained a professional and easily identifiable Eastbourne specific image to allow members of the public to differentiate between hackney carriage taxis and private hire vehicles. Currently the multitude of current designs made it difficult for members of the public to differentiate between the two. It also made identification and enforcement challenging.

The Committee was advised that the Licensing Team received positive and negative feedback about specific vehicles and drivers, however frequently no further action could be taken as often the passenger was only able to identify the company name and telephone number as opposed to the vehicle licence number. It was essential that a clear distinction could be made between hackney carriages and private hire vehicles as the current situation was arguably contrary to legislation and not in the interests of the public.

The requirement for clear and distinctive door signs and plates sourced from the Council or their recognised supplier would ensure conformity and a consistent standard. The signage would also clearly identify a licensed taxi from a private hire vehicle making it more difficult for non-taxis to illegally ply for hire.

Members were asked to decide a future course of action in relation to signage, namely to make no change to vehicle livery, a new single door sign or two separate door signs. Members also considered whether or not to require signage to be permanent or magnetic, compulsory or optional.

Options for a single door sign would be that such included Council corporate requirements and business specific advertising. If two separate door signs were agreed, one sign would include corporate Council information only, and the second, business specific advertising. Pictures of each proposal were presented to the Committee for consideration, and consideration given as to whether signs should be permanent or magnetic, compulsory or optional.

Inspector Tullett from Sussex Police addressed the Committee in favour of the option of two door signs. He stated that any business information used for marketing should be kept entirely separate from the Council corporate branded sign as this made identification and enforcement easier. A separate, simplified corporate door sign would be of significant benefit in identifying vehicles/and or drivers in the event of a crime or complaint. He also expressed a preference that a single sign detailing Council specific corporate information should be permanent to minimise the risk of it being stolen/coming off and so that the vehicle was identifiable at all times.

Councillor Coles addressed the Committee on behalf on the Disability Involvement Group (DIG.) The Group favoured the option of two door signs and were supportive of separate corporate, Council specific information in as large typeface as possible. This made the information easier to understand and identification straightforward. The DIG believed that the corporate signage should be placed on the rear door so that it could be easily identified as many favoured seating in the rear. No comment from the Group had been made about whether the signs should be magnetic or permanent.

Consultation with the Trade had consisted of a questionnaire, which had been circulated to all 421 hackney carriage proprietors and those holding private hire vehicle licenses. The Licensing Manager reported that 82 people had responded which represented 19.5% of the Trade. Responses had also been received from Peter Smith, Hackney Carriage Proprietor and Private Hire Operators, Call A Cab, Sussex Cars and Eastbourne and Country.

Mr Barry Morris, Eastbourne and Country addressed the Committee in favour of the option of two signs and preferred the signage to be magnetic. He mentioned that many drivers were facing financial hardship in the current climate and concerns were raised regarding the financial cost of the two signs. The Licensing Manager advised that the cost of the first pair of permanent Council specific corporate signs would be paid for by the Council and would cover all existing members of the Trade.

Mr Peter Smith, Hackney Carriage Trade Representative, addressed the Committee in favour of the option of two separate signs to differentiate clearly between hackney carriage and private hire. He stated the importance of signage being displayed at all times and favoured the corporate signage being placed on the front door.

Mr Chris Islip, Sussex Cars addressed the Committee in objection to any proposed changes to the current livery and signage. He stated that members of the public could already differentiate between hackney carriage and private hire due to the requirement for all hackney carriages to be white and private hire vehicles any colour other than white.

Mr Martin Reeves, Independent Hackney Carriage Proprietor, addressed the Committee in favour of the two signage option as this would bring a more professional image to the Trade. He also favoured the use of permanent signs. He expressed a view that magnetic signs presented a health and safety risk should they be stolen or fall off the vehicle.

Mr Clive Cornell, Eastbourne and Country addressed the Committee in favour of the option for two signs but raised objections to the use of permanent signage as damage could be caused to the paintwork of vehicles if removed.

Mr Julian Ledger, Call-A-Cab addressed the Committee objecting to permanent signage and stated that all current door signs should remain unchanged in principle.

The Committee agreed that in the interests of the travelling public and to aid enforcement, a clear distinction to differentiate between hackney carriage and private hire vehicles was required. To make all licensed vehicles identifiable as such, the proposal for two individual door signs was preferred. It was agreed that it was important for the presentation of the Council corporate image to be consistent amongst all vehicles, with signage for hackney carriages being blue in colour, and including the wording "HACKNEY CARRIAGE" and yellow for private hire vehicles with the wording "PRIOR BOOKING ONLY" to instate an Eastbourne identity across the town.

The Committee favoured the position of the Council corporate signage on the front nearside and offside door of the vehicle. This would look more professional and should the driver not wish to include a second business sign then the business specific sign would not be compulsory. The Council corporate signage would be easy to spot for members of the public to identify irrespective of which door they chose to use. Some of the Committee favoured permanent signage for the Council corporate sign while others favoured a more flexible approach by giving the option of displaying permanent or magnetic.

The Licensing Manager informed the Committee that there had been examples of individuals within the Trade who had not displayed their magnetic signage. Furthermore a serious incident had taken place where an individual had stolen a magnetic sign and placed it on another car and offered transport to members of the public.

Concerns had been raised by Mr Cornell over the damage that permanent signage could cause on vehicles, specifically executive vehicles. The Licensing Manager advised that damage could also be caused by magnetic signage and that proprietors of private hire vehicles could apply for an exemption from displaying a licence plate and other vehicle livery if undertaking executive work, and that each case would be judged on its own merits individually where such an exemption was sought by the Operator.

The Committee also identified that in order to aid the public wishing to give feedback, an additional internal vehicle identification plate, the same format as the existing internal plate currently within the front of all vehicles should be placed in the rear of the vehicle in a place where it could be clearly seen by the travelling public.

RESOLVED: 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.

The meeting closed at 8.13 p.m.

M Thompson
(Chairman)

WE THE UNDERSIGNED Hackney Carriage/Private Hire drivers/proprietors object to the decision made by the Licensing Committee on Monday 16th January 2012 that by April 2013 all Eastbourne Borough Council Licensed vehicles should display -

- 1) Permanent Council livery on the front and passenger doors as approved
- 2) Further EBC Identification on the rear of all vehicles

J. Pitters . 257./109.

D. Khan 290/197.

 293/134

G. Murray 254/128

 138/177

A. Duffield 185/141
P. DAVIDSON ~~185~~ 185.

L. KHOFU 116/65

M. O 469/132

S. YONNIE 137/117.

B. BIGSBY 42

G. EVANS 172

W. Hopli 471.

WE THE UNDERSIGNED Hackney Carriage/Private Hire drivers/proprietors object to the decision made by the Licensing Committee on Monday 16th January 2012 that by April 2013 all Eastbourne Borough Council Licensed vehicles should display –

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 74

M. Barber 74

P. Smith 128


A Gilman 69

 79

 93

 17

 101

 56

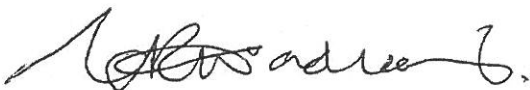
 (11)

 (62)



MR. I. STAINES

(13)



(61)

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G. [Signature]	63
S. [Signature]	323
[Signature]	316
[Signature]	354
[Signature]	157
J.M. Danner	379.
G. Youke	294
[Signature]	804
K.A. [Signature]	168.
[Signature]	524
[Signature]	258
[Signature]	421

WE THE UNDERSIGNED Hackney Carriage/Private Hire drivers/proprietors object to the decision made by the Licensing Committee on Monday 16th January 2012 that by April 2013 all Eastbourne Borough Council Licensed vehicles should display -

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C CONNELL 147	A R King 804
Phil PH 211	Phil 04
R Green 123	Ward 36
M. Dival 120	G. THOMPSON 24
C Young 94	M. Bond 125
Phil 350*	Chris Ash 110.
J. Jurgat 494	M. Stepping 180
SAD 374	P. Kollabor 99
L. Gatten 804	W. J. 142.
G Lane 66	M BIGSBY 118
Dunnefield 198	S. CHITRE 216
Rocaster 129 (136)	M. SUMMON 30.
R. Van 164	J. FREEMAN 137
K. Smoeris 143.	I. Turner 195.
O. Bell 119	Phil 55.
Helen Davis 146.	MARLOWE 418'
Phil 157	181
Gina Lyons 120	C. Williams 72
TREVOR SLATER 111	

J. G. Wain 351.
~~_____~~ 803
P. O. K. 174
H. H. Davis 413.
T. W. Hammer 23
J. C. 47
P. B. 349.
G. H. 156.
A. P. 78
S. W. 46.
P. Knight 368
S. G. 69
N. J. 123

M. T. A. 14
L. R. L. (58)
P. H. (50)
M. H.
S. H. (304)
~~_____~~ 87.
~~_____~~ 200.

Jefferson Collard
Senior Head
Development & Environment
Eastbourne Borough Council

6th June 2012

Dear Mr Collard

I write to you regarding the General Licensing Committee meeting on the evening of the 16th Jan 2012 at the Town Hall.

The purpose of that meeting was to decide whether to have permanent livery (door signs) or carry on with the chaotic system we have in place at the present time (and still do) which I may add is totally unenforceable due to previous Cllrs and Council employees not putting the correct measures in place.

You can obtain a report of that meeting from either Karen Plympton or Katie Cullen, or I'm told you can click on something called a computer, you should also be able to find somewhere the decision made on the night by elected Cllrs.

Prior to the meeting on the 16th Jan Miss Plympton sent out questionnaires on behalf of EBC to the whole of the Taxi and Private Hire trade, this was to give the whole trade an opportunity to decide amongst themselves as individuals whether or not they would like permanent or not, a tick box exercise taking myself no more than a few minutes.

②

421 questionnaires were sent out, only 82 were returned, 339 drivers couldn't be bothered to spend a few minutes filling in a form, we were given nearly four weeks to return the forms.

At the meeting on the 16th Speakers who had pre-arranged with Katie Cullen were given the opportunity to air their views on the subject, myself included, Speakers spoke for and against permanent livery, I myself spoke for permanent door signs.

Some of the Speakers were given a second bite of the cherry to speak by the chairman before the CLL's debated, however he didn't include myself, he also allowed someone to speak who hadn't pre-arranged with Katie Cullen, which begs the question why pre-arrange.

The CLL's decided after debating that permanent door signs would be required to be placed on the front doors of Taxis and private hire vehicles, those private hire with exemptions would not be required to do so.

Now, I don't know how you stand on this, but that decision was made by elected CLL's, it was a democratic decision, Towns Halls up and down the country operate in the same way, this decision cannot be changed unless challenged in a magistrates court.

At the last Taxi & private hire forum (9th May) a petition was handed to Miss Plympton by a representative from Eastbourne & Country Taxis, a Dave Hopkins, basically demanding that the decision made on the 16th Jan be reversed, printable thoughts that came to my mind were "toys out of the pram" and "sour grapes".

3)

If this council reverses this decision without it going to the magistrates court via Mr Hopkins or others then they will be setting a precedent whereas decisions made in the past by elected Cllrs will be open to a challenge.

For example, I'm pretty sure I can round up a few hundred Ufferton residents who were not best pleased with a skate park being plonked in the lovely peaceful setting of manor gardens. May I suggest that this council lets Miss Plympton get on with improving the image of the trade without interference and brick walls being placed in her way, those drivers who don't want to see that happen can seek work/employment elsewhere.

Yours Sincerely

Martin Reeves

Hackney Carriage Proprietor

cc Kareen Plympton
Robert Cottrill

EASTBOURNE
Borough Council



www.eastbourne.gov.uk



HACKNEY CARRIAGE

Any complaints about this
vehicle or driver?

Contact the Council's Licensing Team on

01323 410 000

Quoting the plate number below



007

**LICENSED
TO CARRY**

4

PASSENGERS

007

District Office
Unit 6 Mill Court
Spindle Way
Crawley
West Sussex RH10 1TT

Regional Secretary
John Rowse

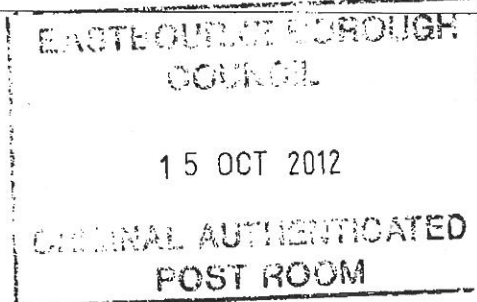
Tel: 01293 613795
Fax: 01293 613856



SOUTH EAST REGION

11 October 2012

Mr J Virgo
Licensing Manager
Eastbourne Borough Council
Grove Road
Eastbourne, BN21 4UG



Dear Mr Virgo,

Re: Permanent signage on Eastbourne Hackney Carriages

I am writing to you regarding the above issue which is of major concern to our members.

Our members would be seriously financially disadvantaged by such a move.

All would incur the cost of sign writing their vehicles and of removing and repainting before they can sell their cars on.

Most drivers also use their vehicles as their private, family cars. The confusion of having these cars driving around on private journeys, with taxi signage on is obvious. Buying a second vehicle would be prohibitively expensive for our drivers.

Some of our drivers also hire their cars out for weddings and other work. They have invested heavily in these vehicles and contrary to the European Directive, would not be able to use their property to its full potential for weddings/executive travel etc., or for personal usage freely if door signs are permanent.

We have collected a petition from our drivers and would appreciate the chance to discuss the matter with you in person.

I look forward to your response,

Jason Wake



Jason Wake
Unite the Union
Unit 6 Mill Court
Spindle Way
Crawley RH10 1TT

October 18 2012

FAO: Mr Jay Vardy, Licensing Manager, Eastbourne Council

Re: Permanent signage on Eastbourne Hackney Carriages

Dear Mr Vardy,

I am writing to you following our conversation on the phone. Please find enclosed a petition signed by our membership within the Hackney Trade in Eastbourne.

Thank you for agreeing to meet at 10am on 18th October.

Just to give you a brief history. We were approached by the Hackney Trade drivers with their concerns and we are currently organising on their behalf. We also intend to move onto organising the Private Hire vehicles as well in the near future. As you can see 72 drivers have signed the petition which we believe shows the strength of feeling that exists on this issue.

Our members would be seriously financially disadvantaged by such a move.

All would incur the cost of sign writing their vehicles and of removing and repainting before they can sell their cars on.

Most drivers also use their vehicles as their private, family cars. The confusion of having these cars driving around on private journeys, with taxi signage on is obvious. Buying a second vehicle would be prohibitively expensive for our drivers.

Some of our drivers also hire their cars out for weddings and other work. They have invested heavily in these vehicles and would lose this income if they had to have permanent signage written on them.

I look forward to your response,

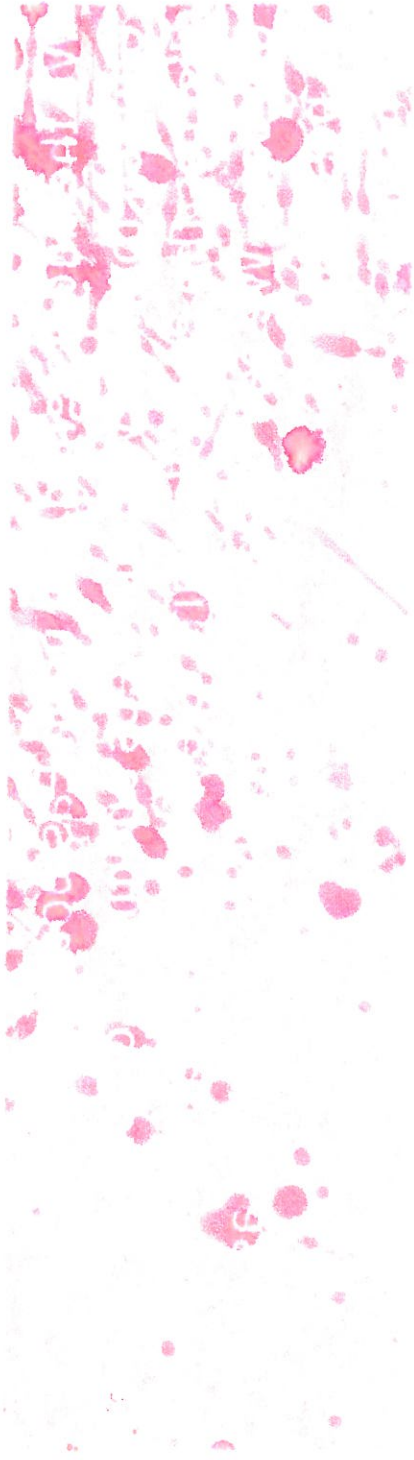
Jason Wake

Peter

We the undersigned call upon Eastbourne Borough Council to meet with our Reps and union official to discuss the councils plans to enforce permanent livery on our cars. We call upon you to arrange a meeting as soon as possible.



Name	plate number	Mobile number	Signature
P. GUSTARD ✓	87	077900077019	<i>[Signature]</i>
R. GREEN ✓	123	07971411010	<i>[Signature]</i>
MASID ✓	104	07812663142	<i>[Signature]</i>
ARND ✓	101	09016290995	<i>[Signature]</i>
Ati. Rossi ✓	72		<i>[Signature]</i>
Leim STAINIS ✓	153	07980160362	<i>[Signature]</i>
DAVID FARRELL ✓	71	07790002229	<i>[Signature]</i> (MPT) X 55
GARY BURNHAM ✓	65		<i>[Signature]</i>
N. GALLIGAN ✓	49	02881437083	<i>[Signature]</i> Farms
B. COLE ✓	88	07793286023	<i>[Signature]</i>
R. MALK ✓	17	07882481487	<i>[Signature]</i>
S. Abdurah ✓	67	07522050880	<i>[Signature]</i>



(Peter)

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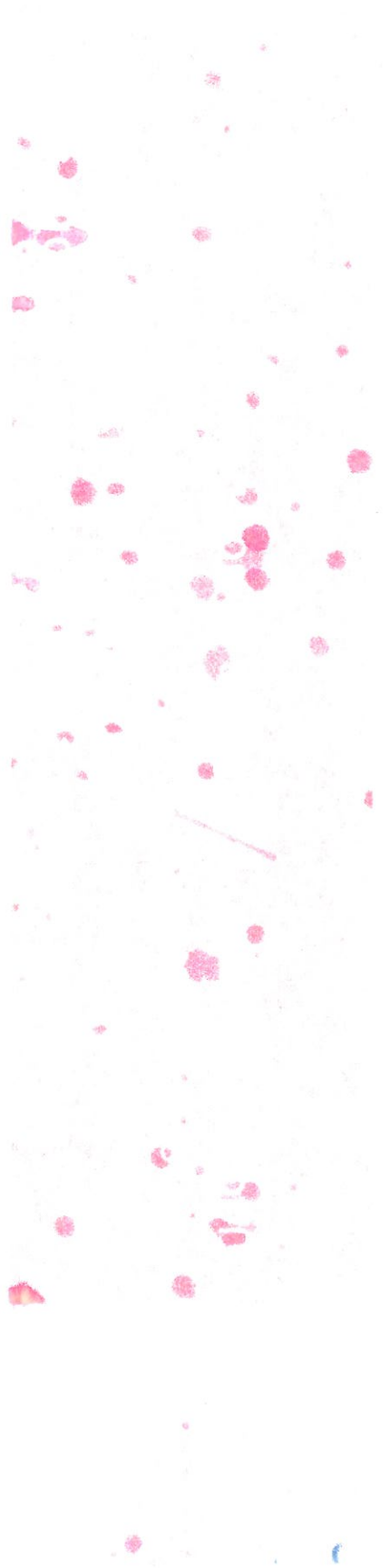
Name	plate number	Mobile number	Signature
NICK BUDGE	124	07940556870	<i>Nick Budge</i>
ORRIST GATE	31	07904620747	<i>Orrist Gate</i>
Guy Lawrence	66	07752601969	<i>Guy Lawrence</i>
KENNETH McLEOD	93		<i>Ken McLeod</i>
R MATT HENRY	06		<i>R Matt Henry</i>
NICK CARRE	09	07876453689	<i>Nick Carre</i>
NEIL CARTRIGHT	22	07870645590	<i>Neil Cartright</i>
KEITH HOLLAND	54		<i>Keith Holland</i>
MARTIN WRAHALL	53		<i>Martin Wrahall</i>
Martin Bunk	90		<i>Martin Bunk</i>
Tom Harris	23		<i>Tom Harris</i>
NICK CARTRIGHT	122		<i>Nick Cartright</i>



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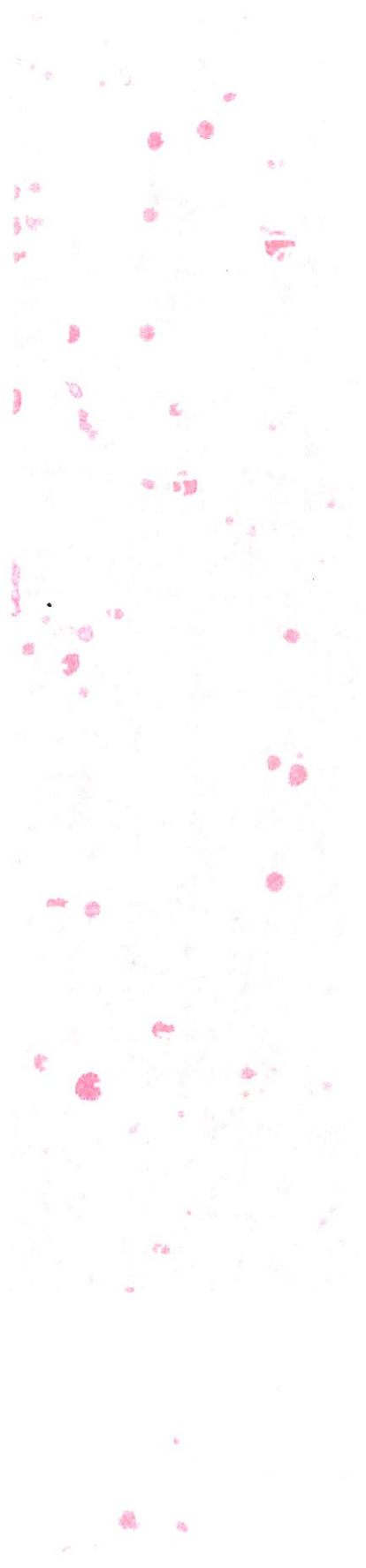
Name	plate number	Mobile number	Signature
EGGROSBEL	414 (buy)		
John	56		
Levi	57	07741107464	
SPAVI	75		
NEBAST	90	07976237646	
L.GATOU	804		
GENIAY	92	079220556594	
RAYN	95	07214487688	
R.A. DOXFORD	44 (Niguy)	07811211958	
Emin Özcan	10		
Muhammed Shahred	16	07429113029	
Nezircof	79		



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Name	plate number	Mobile number	Signature
S. Givna	45	07 8 7 1 4 8 2 3 9 1	<i>[Signature]</i>
N. JEFFRIES	62	07973327553	<i>[Signature]</i>
EV GREEN	43	07927630382	<i>[Signature]</i>
F. FREITBS	59		<i>[Signature]</i>
MR. AHMED ALI	20 (18+16)		<i>[Signature]</i>
MR H. AZZOUZ	51		<i>[Signature]</i>
Alex Givner	69		<i>[Signature]</i>
LULZIM ADOGI	11	07427402887	<i>[Signature]</i>
MALIN CHARINA	37		<i>[Signature]</i>
SIRUAN DAY	130	07540648250	<i>[Signature]</i>
D. GEFORU	08		<i>[Signature]</i>
V. TANVIN	25		<i>[Signature]</i>



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Name	plate number	Mobile number	Signature
Peter Smith	128	07939625173	
Paul Battam	38	07813109178	
Arshel Volushes	55	07582311044	
Arund Kumar Yadav	33	07572112745	
Ricky Hughes	83	07845025572	R.U
STUART MATTHEWS	41	07703530140	S. Matthews
M. ILLAMI	15	07802659888	
R. Rostam	84	07549721601	Peri
M. A. MUNIR	10	077228233034	
M H WRAHALL	56	07923967991	M. H. Wrahall
P. WIGMORE	129	07717315252	Paul
M. DIVALL	120	077711530917	



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Name	plate number	Mobile number	Signature
D. Wright	14	07938602111	D. Wright
Amcorber	91		Amcorber
G. Pettie	47		G. Pettie
G. Thompson	25		G. Thompson
L. Savy	103		L. Savy
L. WARD	803	07210944270	L. Ward
Pmc pease	74	07890973950	P. Pease
D.K. HARRND	61		D.K. Harrnd
M. ISMAIC	709	07825648690	M. Ismaic
L. WAKELING	46	07950403499	L. Wakeling
R. JOHANSEN	158		R. Johansen
P. SATHAN	38	07813189087	P. Sathan

