


Licensing Committee

27 August 2014

Item

Report of	Head of Professional Services	Author	Mark Stevens
Title	Hackney Carriage Signage		 506168
Wards affected	Not applicable		

This report concerns the Council's policy on the display of advertisements on hackney carriages licensed by the Council

1. Decision Required

- 1.1 To consider three representations received in relation to the displaying of advertisements on hackney carriages and to determine in the light of the contents of the report whether any change to the Council's Policy is required.

2. Reasons for Decision(s)

- 2.1 To respond to the request for a change in the Policy to lift the restriction on advertising on hackney carriage vehicles.

3. Supporting Information

- 3.1 On 9 July 2014 the Committee considered a report by the Head of Professional Services on three letters that had been received from members of the hackney carriage trade requesting that the Committee reconsider its policy in relation to the displaying of advertising signs on hackney carriage vehicles. Having considered the matter the Committee requested a further report on the points raised in the letters and on the implications for the Council's Policy.

4. Proposals

- 4.1 There are currently 131 licensed Hackney carriages in Colchester. The majority of hackney carriages are one man businesses who either own or rent the vehicle in use. Some drivers also subscribe to a radio circuit; bookings are made by ringing a specific telephone number and the call is cascaded down to an available driver who invariably then collects the customer. There are four main taxi circuits in Colchester:
 - A1 Taxis (Proprietor: Tony Saunders) who has 6 to 16 drivers on circuit (6 on a daily basis but up to 16 when undertaking school runs)
 - Taxi Now (Proprietor: Stuart Cain) who has 11 drivers
 - All the Fives (Proprietor: Sean Gilmer) who has 8 drivers
 - Colchester Taxis/Colchester Airport Taxis (Andy Morris) who has 8 drivers and has complied with the signage requirements).

- 4.2 On 5 April 2011, the Licensing Committee rejected an application for exterior advertising relating to a Clacton Holiday Centre. It was also resolved that external advertising on licensed hackney carriages be limited to rear door signs, the same size as the Council supplied front door signs and that the colours used be restricted to gold lettering on a black background. The content of the sign was also to be restricted to the business/proprietor name and contact/mobile number. This decision was relayed to the Colchester Hackney Carriage Association by Mr Daines, the then Protective Services Manager.
- 4.3 This resolution was included in the Council's proposed Hackney Carriage and Private Hire Licensing Policy that was subject to consultation with the whole of the Hackney Carriage and Private Hire Trade from 27 November 2012 to 10 February 2013. In the absence of any objection whatsoever, the Licensing Committee resolved to adopt the policy on 13 March 2013.
- 4.4 As a result of Mr Daines advice in April 2011 many drivers changed their signage to comply with the new regulation and any new signage that came into use also complied with the resolution. Unfortunately no statistics are available in this respect as individual drivers were under no obligation to advise the Council of any change or of new signage provided they complied with the resolution.
- 4.5 Enforcement of this element of the Policy forms a very small element of enforcement in general and has been undertaken on an ad hoc basis. As offending signage has been seen, proprietors have been asked to change their signage, or remove it, in order to comply. This has generally been done by way of a quiet word and has been dealt with quite informally. With the exception of those who have written in and whose complaints form the basis of this report, all those asked to change their signage have complied.
- 4.6 A livery for hackney carriages, licensed by Colchester, was primarily undertaken to smarten the fleet of vehicles, establish a professional fleet and improve public safety especially during the night time economy. It was also considered that the decision to formalise external advertising supported these objectives.
- 4.7 Using the above supplied figures, during the morning and afternoon school run period, it is possible that 35 hackney carriages of a total fleet of 131 will have their "own circuit" rear door signage. Outside these times it is possible that a total of 25 hackney carriages from a total fleet of 131 will be displaying their "own circuit signage". This is assuming the other A1 Taxi drivers remove their signage after completing school runs. This potentially will have a major visual impact on the hackney carriage fleet, especially when vehicles are standing on the High Street and North Station rank.
- 4.8 It has been indicated that other circuit proprietors such as Colchester Taxis will wish to revert back to their original signage should such a discretion be applied to other proprietors.

5. Strategic Plan References

- 5.1 There are no direct links to the strategic plan.

6. Consultation

- 6.1 In the event that the Committee determines to make a change to its policy, full consultation with the relevant parties will need to be carried out and the outcome reported to the Committee before any final decision is made.

7. Publicity Considerations

- 7.1 In the event that the Committee determines to change its policy, any decision will need to be communicated to the drivers through the Council's website and by individual contact with those affected by the change.

8. Financial Implications

- 8.1 There are no financial implications for the Council of a proposed change to the livery. There is no right of appeal in relation to the matter to the Magistrates Court.

9. Equality, Diversity and Human Rights implications

- 9.1 There are neither equality, diversity nor human rights implications.

10. Community Safety Implications

- 10.1 There are potential community safety implications in relation to the Committee's decision. In the event that the Committee determines to relax the restrictions on advertising, it may undermine public safety particularly in relation to the night-time economy.

11. Health and Safety and Risk Management Implications

- 11.1 There are no health and safety or risk management implications.