

# LICENSING COMMITTEE

## 9 July 2014

*Present:* - Councillor Nick Cope, Ray Gamble, Pauline Hazell, Michael Lilley, Richard Martin , Philip Oxford and Lesley Scott-Boutell

*Substitute Member:* - Councillor Graham for Councillor Havis

### 5. Minutes

*RESOLVED* that the minutes of the meetings held on 16 and 24 June were approved as a correct record.

**Councillor Lilley, because of his acquaintance with Mr Green's brother, declared his personal interest in the following item pursuant to the provisions of the Meetings General Procedure Rule 7(2)**

### 6. Advertising on Hackney Carriage Vehicles

The Committee considered a report by the Head of Professional Service regarding 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.

On 5 April 2011, the Licensing Committee resolved that external advertising on hackney carriages licensed by the Council 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 restricted to the business/proprietor name and contact number or mobile number. The Committee's decision had been enforced since this time and included within the revision of the policy which was the subject of public consultation from 27 November 2012 to 10 February 2013. No comments had been received in relation to this consultation. The majority of hackney carriage proprietors had changed their signage to accord with the decision and any new signage had complied with the Committee's decision. Where non-compliant signage had been seen the owners have been requested to change it and it was in response to such requests that the three letters had been received.

Mr Saunders and Mr Gilmer attended and addressed the Committee on the issues as set out in the letters. Mr Green, the Secretary to the Hackney Carriage Association, attended the meeting on behalf of the Association and in order to answer any questions the Committee may have had on the broader issues but not to comment on the specific points raised in the three letters.

In outlining the issues, Mr Saunders explained that because approval had been given in 1989 for the signs by a previous licensing officer they did not appreciate that the changes

applied to them and that they were retrospective. It was acknowledged that greater attention should have been paid to the policy consultation. A number of reasons were put forward for the use of the non-compliant signs which centred on the issue of brand recognition and safety. By using the logo of the company on the rear door signs, which exactly matched the drop cards that were given out, it was considered that customers would find it easier to identify their taxi. Mention was also made by Councillors of the importance of the livery in branding Colchester's hackney carriage fleet and the potential adverse effect of any relaxation in the livery would need to be considered as part of a further report on the matter. It was asked why private hire vehicles were allowed to be black and pointed out that in certain circumstances they looked very similar to hackney carriage vehicles. Mr Stevens explained that it was not legally possible to impose any restrictions on the colour of private hire vehicles and the conditions went as far as was legally possible in suggesting that black vehicles should not be used for private hire.

The Committee also gave consideration to the procedure for dealing with any future concerns in relation to the policy. It was acknowledged that from time to time matters may arise in relation to the policy however the appropriate way of dealing with these was not by ad hoc consideration but as part of a planned policy review. It was therefore suggested that in future any concerns should be put in writing to the Licensing & Food Safety Manager who would respond to them and if he considered appropriate consider them as part of the next planned policy review.

*RESOLVED* that -

- (i) The Head of Professional Services be requested to submit a report to the Committee having carried out further investigation on the points raised in the letters and on the implications for the Council's Policy. Such investigations should consider the level of enforcement that had been carried out; the level of compliance; the impact that a possible relaxation of the rules could have on the appearance of vehicles and the Council's livery; and the impact on those who had already complied.
- (ii) In future any concerns in relation to the policy should be put in writing to the Licensing & Food Safety Manager who will respond to them and if he considers appropriate consider them as part of the next planned policy review.