

Licensing Committee

12 August 2015

Item

Report of	Head of Professional Services	Author	Jon Ruder
			☎ 282840
Title	Hackney Carriage/Private Hire Policy // Interim Change		
Wards affected	All		

This report seeks the Licensing Committee's approval for an interim change in the enforcement of the hackney carriage and private hire licensing policy in relation to signage on private hire vehicles

1. Decision(s) Required

1.1 The Licensing Committee is asked to agree the interim change to the enforcement of the hackney carriage and private hire licensing policy in relation to signage on private hire vehicles as follows -

- All operators to submit drawings or photographs of their currently livery to the Council.
- No full body livery – the current door sign standards as set out in the current policy is the minimum standard, namely **The sign must be 21 x 30 cm (8¼" x 11¾") overall with a white background and a border 0.6 cm (¼") from the edge, the border to be the same colour as the lettering. The sign must state only the name, address and telephone number of the proprietor of the vehicle and the legend "Licensed Private Hire Vehicle Pre-booked only". The size of the lettering for the address and legend must be not less than 2 cm (¾"); the name must not be greater than 5 cm (2") and the telephone number must not exceed 6.5 cm (2½"). The proprietor may however choose the colour of the lettering if they so wish. The use of the Borough Coat of Arms is prohibited on private hire vehicles.**
- Full body livery – where an operator currently has full body livery (number and company details but not displayed in accordance with the policy) the minimum requirements must be satisfied. These are - **The livery must state only the name, address and telephone number of the proprietor of the vehicle and the legend "Licensed Private Hire Vehicle Pre-booked only".**
- The Council will not accept any new livery design as permanent in this interim period and all operators will be expected to comply with the new policy when approved.
- This interim period will last until the new Policy has been approved and adopted.

2. Reasons for Decision(s)

2.1 To ensure the fair enforcement of the policy in the interim period prior to the Policy's review early in 2016.

3. Alternative Options

- 3.1 The alternative option is to continue to enforce the current policy.

4. Supporting Information

- 4.1 The Current policy states -

Operator signage must be affixed and maintained on the nearside and offside rear doors and should be to the following specification, unless prior written authority has previously been obtained from the Licensing Manager. The sign must be 21 x 30 cm (8¼" x 11¾") overall with a white background and a border 0.6 cm (¼") from the edge, the border to be the same colour as the lettering. The sign must state only the name, address and telephone number of the proprietor of the vehicle and the legend "Licensed Private Hire Vehicle Pre-booked only". The size of the lettering for the address and legend must be not less than 2 cm (¾"); the name must not be greater than 5 cm (2") and the telephone number must not exceed 6.5 cm (2½"). The proprietor may however choose the colour of the lettering if they so wish. The use of the Borough Coat of Arms is prohibited on private hire vehicles.

- 4.2 Over the last ten years some private hire operators are believed to have obtained permission from former officers of the Council to have signage that does not accord with the above provisions however they have in most cases been unable to provide written evidence that such changes were approved by the Council.

- 4.3 In recent months the decision was taken to enforce the Policy and in view of this a letter was sent to all private hire operators advising them that –

"a number of Private Hire vehicles are not displaying the correct door livery as stipulated in our policy. As the operator it is your responsibility to ensure that your drivers and vehicles comply with the policy at all times under the terms of your licence.

The Hackney Carriage and private Hire Policy states the following:-

No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever can be displayed on, in, or from the vehicle, except as may be required by any statutory provision (including by-laws), or required or permitted by these conditions, provided however, that this condition shall not apply to any indication on a taximeter fitted to the vehicle.

The sign must be 21 x 30 cm (8¼" x 11¾") overall with a white background and a border 0.6 cm (¼") from the edge, the border to be the same colour as the lettering. The sign must state only the name, address and telephone number of the proprietor of the vehicle and the legend "Licensed Private Hire Vehicle Pre-booked only". The size of the lettering for the address and legend must be not less than 2 cm (¾"); the name must not be greater than 5 cm (2") and the telephone number must not exceed 6.5 cm (2½"). The proprietor may however choose the colour of the lettering if they so wish. The use of the Borough Coat of Arms is prohibited on private hire vehicles.

The proprietor may display such signs etc, as may from time to time be approved by the Council.

Beginning on the 6th of April 2015 there will be a three month lead in time for all operators to ensure that their vehicles conform to the Colchester Borough Council policy on livery. After this time penalty points will be issued to those not complying with the required standard.”

- 4.4 As a result of this decision penalty points were issued against a number of private hire operators; appeals were received and the matter was raised at the Council's Taxi Forum. In response to concerns raised at the Forum and taking into account the disproportionate amount of officer time spent considering signage queries, it is proposed that the interim measures are put in place to provide operators with clear, unambiguous guidance on the Council's enforcement.

5. Interim Proposals

- 5.1 The policy is being rewritten for release in early 2016 subject to consultation. In the light of this consideration has been given as to what should be enforced in the interim period given that the new licensing policy may impose a radically different livery requirement from that currently in place.
- 5.2 It is suggested that the following should be adopted as an interim measure and enforced accordingly
- All operators to submit drawings or photographs of their currently livery to the Council.
 - No full body livery – the current door sign standards as set out in the current policy is the minimum standard, namely **The sign must be 21 x 30 cm (8¼” x 11¾”) overall with a white background and a border 0.6 cm (¼”) from the edge, the border to be the same colour as the lettering. The sign must state only the name, address and telephone number of the proprietor of the vehicle and the legend “Licensed Private Hire Vehicle Pre-booked only”. The size of the lettering for the address and legend must be not less than 2 cm (¾”); the name must not be greater than 5 cm (2”) and the telephone number must not exceed 6.5 cm (2½”). The proprietor may however choose the colour of the lettering if they so wish. The use of the Borough Coat of Arms is prohibited on private hire vehicles.**
 - Full body livery – where an operator currently has full body livery (number and company details but not displayed in accordance with the policy) the minimum requirements must be satisfied. These are - **The livery must state only the name, address and telephone number of the proprietor of the vehicle and the legend “Licensed Private Hire Vehicle Pre-booked only.**
 - the Council will not accept any new livery design as permanent in this interim period and all operators will be expected to comply with the new policy when approved.

6. Standard References

- 6.1 There are no particular references to the Strategic Plan; publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.