

169. Electronic Payments in Licensed Vehicles – Policy changes

The Committee considered a report setting out proposed changes to Colchester City Council's Penalty Point Scheme in relation to the requirement that all licensed vehicles were to be equipped with the means to accept electronic payments in addition to cash. The report also detailed the proposed changes to Hackney Carriage and Private Hire Licensing Policy.

Sarah White, Licensing Team Leader, attended the meeting to present the report and assist the Committee with its deliberations. The Committee was being asked to consider the penalty points which would be allocated to proprietors or drivers under the Council's Penalty Point Scheme in relation to failure to provide a card machine in a vehicle, in the light of concerns which it had raised at its previous meeting. The suggestion before the Committee was to reduce the points to be allocated for this failure from 4 to 3, which would bring the penalty points under the Scheme in line with first offences for other matters. The Committee was also requested to consider adjustments to the Council's Hackney Carriage and Private Hire Policy which were required to amend the Hackney Carriage and Private Hire Vehicle Standards and Conditions as set out in the Officer's report.

In discussion, it was clarified to the Committee that penalty points imposed under the proposals would be for the failure to use a card machine which would be required to be installed in the vehicle. Such points would be treated in the same way as other penalty points, and would be removed over time in accordance with the Council's Policy. The Committee clarified that it was proposed to ask Full Council to approve the Policy amendments at its meeting in July 2023, and the proposals would come into effect after this time.

A Committee member requested clarification on how the process of refunding a card payment would work in areas of poor signal, considering that clarification on this issue was important before a final decision was made by Full Council. It was understood that any refund had to be made via the same method as the original payment, was it possible to make a refund in cash when the original payment had been made by card? The Committee requested that further information on this point be presented to Full Council when it was asked to consider adopting the proposal, in order that the decision be as informed as possible, and this request would be reflected in the resolution made by the Committee.

The Licensing Team Leader confirmed to the Committee that the approach which would be taken to approving card readers for use in the future would be a flexible one, based on the individual machine presented. It was intended that as much freedom as possible be afforded to proprietors when they selected a card machine they wished to use.

Councillor Buston attended the meeting remotely, and, with the permission of the Chair, addressed the Committee. He considered that the proposal which had been made was a sensible one, and reminded those present that the policy amendment

did not preclude the use of cash to pay fares. He was confident that the proposed scheme would work well, and Officers would implement it effectively.

A Committee member clarified that the resolution that was proposed by the Committee was for the Policy changes proposed in the Officers report, however, the minutes of the meeting would show that Officers had been requested to provide additional information to Full Council when the proposed Policy amendments were considered.

RECCOMENDED TO COUNCIL that:

Colchester City Council's Hackney Carriage/Private Hire Policy be amended to read as follows:

S.113 Penalty Point Scheme

113	Failure to comply with the requirements relating to the provision and/or operation of an electronic payment device		x	x	x
	1 st offence	3			
	2 nd offence	6			
	3 rd offence	9			
	4 th offence	12			

Annex 2 – Hackney Carriage Vehicles Licensing Standards and Conditions

Pre-Licensing Standards and Conditions

15. Electronic Payment Device

15.1 The vehicle must be equipped with an electronic payment device.

Conditions of Licence

21. Electronic Payment Device

21.1 Vehicles must be equipped with the means to accept electronic payments in addition to cash. The vehicle must have a Colchester City Council approved electronic payment device (see 21.2 below) which can accept an electronic payment.

21.2 Approved Electronic Payment methods

BarclayElectronic payment/App
[Cab:app Ltd](#) (Miura M010)

[Cabvision Network Ltd](#) (Ingenico)

Elavon

[Farepay Ltd](#) (Miura M010)

[Ingenico](#)

[iZettle](#) (Miura M010)

LoPay

[Payataxi](#) (Miura M010)

[PayPal](#) (Miura M010)

SquareApp

[SumUp](#) (Miura M010)

[Viva Wallet](#)

[Worldpay](#)

[Further electronic payment methods/Apps may be used upon application to, and approval by, the Council.](#)

21.3 The Council considers the electronic payment facility to be part of the vehicle and as such it must be working at all times.

21.4 The vehicle must display the Colchester City Council approved stickers on both the rear passenger window and inside the vehicles indicating that debit and credit card payments are now taken.

21.5 If the means of making electronic payments is not working this must be reported immediately to the Council. The Council must be notified when any problems have been resolved and the payment facility is again operational.

21.6 If there is concern that the electronic payment facility may not work at the destination point, a fare may be agreed and paid in advance for the journey. This is permitted on condition that the meter is used, and if the metered charge is less than the agreed payment for the journey, the overpayment is refunded.

Annex 3 – Private Hire Vehicles Licensing Standards and Conditions

Pre-Licensing Standards and Conditions

15. Electronic Payment Device

15.1 The vehicle must be equipped with an electronic payment device.

Conditions of Licence

21. Electronic Payment Device

21.1 Vehicles must be equipped with the means to accept electronic payments in addition to cash. The vehicle must have a Colchester City Council approved electronic payment terminal (see 21.2 below) which can accept an electronic payment.

21.2 Approved Electronic Payment methods

BarclayElectronic payment/App

[Cab:app Ltd](#) (Miura M010)

[Cabvision Network Ltd](#) (Ingenico)

Elavon

[Farepay Ltd](#) (Miura M010)

[Ingenico](#)

[iZettle](#) (Miura M010)

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21.6 If there is concern that the electronic payment facility may not work at the destination point, a request can be made to pay in advance for the journey.