
TITLE: HACKNEY CARRIAGE ROOF SIGNS EAST CAMBRIDGESHIRE DISTRICT COUNCIL

Committee: Licensing Committee

Date: 21 November 2012

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[M152]

1.0 ISSUE

1.1 To present the results of the roof sign survey and notes of the meeting held with the Chairman of Licensing and members of the Hackney Carriage and Private Hire Trade at the Council Offices on Wednesday 19 September 2012 relating to roof signage, and to make recommendations regarding the current roof sign licence condition.

2.0 RECOMMENDATION(S)

2.1 That Members:

- a) Note the results of the roof sign survey and the comments relating to Hackney Carriage roof signs made during the meeting between the Chairman of Licensing and Members of the Trade, as per extract detailed in Appendix 1.
- b) Recommend that in terms of an *'approved form'* for Hackney Carriage roof signs that it relates to the following basic standards:
 - (i) That the roof sign is illuminated when the vehicle is available for hire.
 - (ii) That the word 'TAXI' in black capital letters is clearly legible on front and rear side of the roof sign.
 - (iii) That the roof sign does not bear any features that could be confused with the external and internally displayed vehicle plate number.
- c) Agree to a consultation with the trade and other relevant organisations on points (i) to (iii) in addition to it being mandatory that Hackney Carriages carry a roof sign. Subject to consultation, any changes would be required on renewal of vehicle licences from a specified date.
- d) To review Hackney Carriage roof sign standards as a result of any future changes to legislation/guidance issued in connection with the Law Commission Taxi Reform.

3.0 BACKGROUND/OPTIONS

3.1 At the Licensing Committee Meeting on July 18 2012 it was resolved that the Licensing Committee;

i. Agree to a Hackney Carriage Roof Sign survey being conducted in relation to those Hackney Carriages licensed by East Cambridgeshire.

ii. That prior to the survey, the Chairman of the Licensing Committee meet with the taxi trade to discuss the matter.

iii. Agree that the findings of the Hackney Carriage Roof Sign survey be presented to a future Licensing Committee meeting for discussion in relation to the current Hackney Carriage Roof Sign Licence Condition.

3.2 The Licensing Chairman held a meeting with the Trade on Wednesday 19 September 2012 to discuss Hackney Carriage Roof Signs within East Cambridgeshire. A short presentation was provided and comments raised by the trade during the meeting were noted.

3.3 A survey of those Hackney Carriage roof signs on East Cambridgeshire licensed vehicles was carried out between 10 October 2012 and 25 October 2012 (Appendix 2)

4.0 ARGUMENTS/CONCLUSIONS

Hackney Carriage Roof Signs in East Cambridgeshire.

4.1 The current Hackney Carriage Roof Sign Licence Condition states that;

' A vehicle roof sign will be allowed in a form to be approved by the Council'

a) The licence condition does not define what 'an approved form' is.

b) The condition wording does not make it a specific requirement for a Hackney Carriage to have a roof sign.

4.2 The roof sign survey illustrates that there are a variety of roof signs in use (Appendix 2).

4.3 The survey also highlighted that some roof signs have numbers on the end of the roof sign that are different to the external and internal display plate number issued by the Council. This could cause confusion where a member of the public wishes to make a complaint about a driver or vehicle (Appendix 2).

4.4 The Law Commission are currently proposing a reform on the 'Law on Taxi and Private Hire Services within England and Wales'. The Law Commission plan to publish a final report and draft Bill in November 2013. It will be for Parliament to decide whether to change the law relating to Hackney Carriage and Private Hire legislation. One of the proposals is to bring in national minimum standards for Private Hire and Hackney Carriage vehicles.

4.5 In terms of minimum national safety standards for taxis (Hackney Carriages) paragraph 15.10, page 188-189 of the Law Commission's consultation paper states the following;

We propose that taxi regulation would continue to work differently from private hire regulation due to consumers' ability to engage taxis at ranks and by hailing. Licensing Authorities would retain the ability to impose requirements over and above the national standards to taxis being hailed or using ranks within their licensing area. These could be linked to increase safety, but we also recognise that licensing authorities may wish to impose other quality standards, for example, in order to promote civic pride or meet the needs of a specific community. Examples of these higher standards could include requirements in respect of wheelchair accessibility, colours and signage, CCTV topographical knowledge tests or specific vehicle requirements such as the turning circle. We therefore suggest that some additional standards by licensing authorities should be allowed'*

**An example of a standard which could arguably relate to both safety and civic pride is the imposition of a particular kind of signage.*

4.3 The consultation paper also recognises that local conditions which specify particular roof sign dimensions or colours (vehicle) have 'proved controversial and caused anger in trades' (para 15.28).

4.4 Concerns were expressed by members of the trade present at the meeting on the 19 September 2012 that the Council's Licence conditions may have to be altered as a result of the Taxi Reform, rendering any significant changes in the meantime to Hackney Carriage roof signs being costly.

4.5 It is recommended that:

- a) due to the proposed Taxi Reform, the Council refrain from introducing for example, a set colour, shape or sized roof sign for Hackney Carriages.
- b) in the meantime, a definition as to what constitutes an 'approved form' be set out as a minimum standard and level of consistency (as per paragraph 2.1 (b) (i) to (iii)).

- c) the current licence condition wording for Hackney Carriage roof signs be amended to make it clear that all Hackney Carriage vehicles must carry a roof sign.

4.8 – Section 48(1) (ii) of the Local Government (Miscellaneous Provisions) Act 1976 states that in terms of Private Hire vehicles, District Councils shall not grant such a licence unless they are satisfied that the ‘vehicle is not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage’. Existing licence conditions for Private Hire vehicles state that roof signs are not permitted. It is recommended that the Hackney Carriage roof sign condition wording makes it clear that Hackney Carriages must carry a roof sign, so that Hackney Carriages and Private Hire vehicles can be easily distinguished from one another, and that Hackney Carriages can not be mistaken for a Private Hire vehicle.

4.9 Any proposed changes to condition wording and definition to ‘approved form’ will need to be consulted on with the trade and relevant organisations for feedback and consideration.

4.10 Changes to licence conditions must be ‘necessary’ and ‘proportionate’. Any person aggrieved by any conditions attached to such a licence may appeal to a Magistrates’ Court.

4.11 Subject to any consultation, the potential changes required to Hackney Carriage roof signs currently in use, would equate to approximately 13 signs having to affix the wording ‘TAXI’ to the rear of the roof sign and for approximately 3 signs having to remove numbering from the end of the roof signs to avoid confusion with the licence plate number.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 The financial implications of this report relate to a consultation exercise with the trade and other relevant organisations. Subject to consultation, the potential changes required to existing Hackney Carriage roof signs, would equate to approximately 12 signs having to affix the wording ‘TAXI’ to the rear of the current roof sign and approximately 3 signs having to remove numbering from the end of the roof signs to avoid confusion with the licence plate number. Views on these matters would be addressed and considered as part of the consultation process.

5.2 Equality Impact Assessments (INRA) have not been completed for this preliminary stage of the process.

6.0 APPENDICES

6.1 Appendix 1 Extract of Notes from meeting between Chairman of Licensing and the Taxi Trade.

6.2 Appendix 2 Hackney Carriage Roof Sign Survey.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Law Commission Consultation Paper No 203 Reforming the Law of Taxi and Private Hire Services A Consultation Paper	Room SF209 The Grange Ely	Elizabeth Bailey Principal Environmental Health Officer (Commercial) (01353) 665555 E-mail: elizabeth.bailey@eastcambs.gov.uk
Local Government (Miscellaneous Provisions) Act 1976		
Taxi and Private Hire Vehicle Licensing: Best Practice Guidance Department for Transport 2 March 2012		

EXTRACT OF TRADE MEETING NOTES**TAXI TRADE MEETING**

**Wednesday 19 September 2012 – Council Chamber,
East Cambridgeshire District Council, The Grange, Nutholt Lane, Ely
10.30am – 11.28am**

PRESENT:

Cllr Tony Goodge	Chairman of Licensing Committee
Elizabeth Bailey	Principal Environmental Health Officer
Liz Knox	Head of Environmental Services
Melanie Sage	Democratic Services Officer

ALSO IN ATTENDANCE

Alan Cole	Alans Taxis
Colin Featherstone	A2B Taxis
Jamie Edmunds	A2B Taxis
Richard Turnell	Fencabs
Sandra Collin	Fencabs
S. Lindsay	Cornell Taxis
Martin Lane	A10 Taxis
John Skipper	A10 Taxis
A. Taggart	Acabcars
One other representative from Fencabs	

A short presentation was delivered regarding Hackney Carriage Roof Signs in East Cambridgeshire. The current licence condition relating to roof signs does not define what 'an approved sign' means.

A survey of those roof signs currently in use in the district is to be carried out and the results taken to Members. The survey was agreed at the July Licensing Committee Meeting.

A general discussion was held regarding Hackney Carriage Roof Signs and whether there is a need for a definition. The notes of the Taxi Trade meeting will form part of a committee report that will be presented to the Licensing Committee detailing the outcome of the roof sign survey.

Summary of Discussion	Officer Comments/ Action	Officer Comments/ Action subsequent to meeting
Roof Signage		
Licence Condition 3.3, ' <i>A vehicle roof sign will be allowed in a form to be approved by the Council</i> ', should not be amended until after the outcome of the Taxi and Private Hire	The Council would be required to consider and implement any requirements of the Reform once enacted. If there were any changes to	The Roof Sign Survey Results committee paper to be presented to the Licensing Committee meeting on 16 November 2012 which commences 9.30am.

Summary of Discussion	Officer Comments/ Action	Officer Comments/ Action subsequent to meeting
Reform is known. Otherwise any amendments to the condition might require further amendment once the Bill is published.	roof signs they would need to be 'reasonable' and 'proportionate' and a consultation exercise would need to take place with the Trade.	
Numbers that appear on the end of some roof signs should be removed to avoid confusion with the vehicle identification plate number. The company telephone number should appear on the reverse of the roof sign. Agreed that Licence Condition 3.3 should not be amended until the outcome of the Taxi and Private Hire Reform is known.		
Perplexed as to why roof signage was creating such an issue. If purchased from a legitimate source a roof sign was the easiest item to identify a vehicle as a taxi. However, a roof sign was also the easiest item that could be stolen.		
Door stickers had been introduced to increase public safety and therefore standardised roof signs were now unnecessary.		
Educating the public regarding the differences between a Hackney Carriage Vehicle and a Private Hire Vehicle is a very difficult task.	Condition 3.3 was currently unenforceable and comments were invited as to how, or if, the wording of the condition should be amended, for instance by the removal of ' <i>in a form to be approved by the Council</i> '. This could be an interim measure until the extent of the Taxi and Private Hire Reform is known.	
A roof sign had been purchased by a driver that complied with a previous decision of the		

Summary of Discussion	Officer Comments/ Action	Officer Comments/ Action subsequent to meeting
Licensing Committee. However, he stated that it was not suitable for use as when illuminated it was blue in colour and therefore was confused with a police vehicle.		
Any future roof sign should have the company name and telephone number on for ease of identification. This would also provide an additional form of advertisement.		
The trade would be reluctant to purchase a roof sign that only had the word 'taxi' on it.		
Roof signs could easily be stolen and then placed on an unlawful vehicle. The public would only be truly protected if all Private Hire and Hackney Carriage drivers worked together and formed a group similar to 'pub watch'.	Roof signs are part of the general make up of a Hackney Carriage, and go hand-in-hand with vehicle stickers and other identifying features such as the vehicle plate.	
An advert should be placed in the newspaper to educate the public on ways to identify Hackney Carriage and Private Hire Vehicles and the differences between those vehicles.	Information has been drafted to go on to the Council's website as to how to recognise an ECDC Private Hire or Hackney Carriage vehicle. This will go onto the Council's website at the end of next year, when ALL vehicles will be displaying vehicle stickers (as this was a phased introduction).	
In conclusion it was agreed that Licence Condition 3.3 should not be amended until the Taxi and Private Hire Reform Bill has been published. In the meantime an advertisement should be placed in a newspaper to educate the public on how to identify Hackney Carriage and Private Hire vehicles and the differentiation	The findings of the Hackney Carriage Roof Sign survey, and a summary of the discussions following this meeting, would be presented to a future Licensing Committee meeting for discussion regarding the current Hackney Carriage Roof Sign Licence Condition.	

Summary of Discussion	Officer Comments/ Action	Officer Comments/ Action subsequent to meeting
between those vehicles. Consideration should be given that each operator has its own individual roof sign.		

APPENDIX 2

APPROVAL OF THE STREET COLLECTION LICENSING POLICY

LICENSING COMMITTEE 21 NOVEMBER 2012

CONSULTATION RESPONSES

Responding Organisation	Response Date	Respondents Comments	Licensing Authority Comments	Further Action Required
City of Ely Council	04/09/12	<p>The policy should read as city centre and not town centre when referring to Ely.</p> <p>That the area defined as the City Centre of Ely under 4.2 should be extended to include The Gallery, Palace Green and Newnham Street. Although the recently formed City Centre Forum defined an even wider area to include the riverside, it is accepted that this area is better covered by licensing special events.</p> <p>That under 4.5, only one organisation should be permitted to collect on one day. It is acknowledged that immediately prior to Christmas, this proposal should be relaxed to allow a number of small <u>local</u> charities to collect on specific defined days.</p> <p>In addition, the City of Ely Council requests that when events are being organised we should be consulted and, if issued, a copy of the license sent to our Clerk. Hopefully this will avoid clashes and improve our working relationships.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>Policy amended to read Ely City Centre</p> <p>Policy amended at 4.2 to include The Gallery, Newnham Street and Palace Green</p> <p>Policy amended at 4.5 bullet point 4 to read 'for small <u>local</u> charities to collect on specific defined days during the pre-Christmas period'</p> <p>Request to be passed to the Council's Community Services Department Tourism Development Officer to liaise with the City of Ely Council when City Centre events are being organised.</p> <p>As it is not possible to send copies of</p>

				street collection permits to third parties, it is proposed that at a future date a list of granted street collection permits will be displayed for public viewing on the Council's web site. In the meantime, the Licensing Authority would notify Ely City Council by email of any relevant events.
Littleport Parish Council	29/08/12	Please can you include Main Street to the list of streets in the Draft Street Licensing Policy Document? Council Members had noted this omission and would like to see it rectified.	Noted	Policy amended at 4.2 to include Main Street, Littleport
Mepal Parish Council	12/09/12	Mepal Parish Council considered this draft policy at the Council meeting 10 September 2012 and as a result, resolved to make no comment.	None	None