

Report of	Meeting	Date
Corporate Director of Governance	Licensing & Safety Committee	2 April 2008

## **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 DISPLAY OF SIGNS ON HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES AND REVIEW OF STYLE AND FORMAT OF LICENCE PLATES**

### **PURPOSE OF REPORT**

1. The report is to enable Members to consider officers proposals to amend the current conditions attached to hackney carriage and private hire vehicle licences in relation to the display of identification signage and the style and format of licence plates.

### **RECOMMENDATION(S)**

2. Members are recommended that:
  - a) The Council's signage for hackney carriage and private hire vehicles should be compulsory
  - b) The Council's signage should be displayed on both front doors of the vehicle.
  - c) The Council's internal disc should be attached to the inside of the front windscreen outside the swept area of the glass or to be fixed in a vertical position on the dashboard as not to obstruct the drivers view.
  - d) The sample signs circulated at the meeting should be the adopted signs, in terms of shape, size, colour and content and the supply to hackney carriage and private hire proprietors from the Council's licensing office as detailed in the report.
  - e) In addition to the above, hackney carriage and private hire proprietors may display other signs on their vehicles acquired from a supplier of their own choice, advertising the name and telephone number of their business. Where applicable, such signs to comply with the specifications contained within this report.
  - f) The Council's sampled licence plates circulated at the meeting should be compulsory.

### **EXECUTIVE SUMMARY OF REPORT**

3. The adoption of the proposals contained within the report will raise the confidence of the customers who use Hackney Carriages and Private Hire Vehicles within the Chorley Borough, in respect that the vehicle is a bone fide licensed vehicle by this authority. The proposed livery will aid in the instant recognition of legitimate licensed vehicles by taxi users and contribute to the health and safety of such customers. The provision of date expiry licence plates will ease the enforcement burden of the Council's Licensing and Enforcement officers and allow transparency to other enforcement and partner agencies to the legitimacy of the licence of that vehicle.

## CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	✓
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

## BACKGROUND

5.

5.1 Conditions are currently attached to hackney carriage and private hire licences regulating the display of advertising signs on vehicles. The display of door signage is optional, allowing the proprietor to choose whether he/she wishes to display signs on a vehicle. However officers have observed that very few hackney carriages and private hire licensed by the Council actually carry any form of identification signage other than the display of a licence plate, although hackney carriages are also subject to an additional requirement to display a roof sign on the vehicle. The types of licence plates currently issued to proprietors of vehicles by the Council have been in circulation for many years. The sizes of the existing plates along with the limited particulars they contain provide no information to verify that the vehicle is in licence. In view of the above, officers consider that it is often confusing to identify a licensed hackney carriage or a private hire vehicle, particularly where no door signs are displayed.

5.2 Members may be aware that a Licensing Liaison Panel (LLP) operates to enable consultation with the hackney carriage and private hire licensed trade on varying issues, including proposed changes to licence conditions. This is chaired by the chair or vice-chair of the licensing and safety committee, they have been nominated to partake in the LLP meetings to enable awareness of issues arising as any proposed changes to licence conditions or reviews of taxi fares need to be referred to the full Committee for determination.

5.3 At the last LLP meeting held on 4 February 2008 amongst other issues discussions were held on officers' proposals to change the style and format of licence plates, and also to change the licence conditions regarding the display of signs on vehicles. Representatives of the hackney carriage and private hire trade, Councillor Iris Smith, Councillor Ted Smith, the Licensing Manager, Enforcement Officer and Licensing Officer attended the above meeting. It was decided at that meeting that the Licensing Manager progress this issue and present examples of the proposed livery to a working party of the LLP. Representative members of the hackney and private hire trade were invited to attend on 9 March along with the chair and vice-chair of licensing along with the Police Crime Prevention Officer responsible for Chorley and surrounding boroughs.

6. A summary of the discussions held at the LLP meeting regarding the above issues is shown below: Review of style and format of hackney carriage and private hire licence plates. Officers presented samples of licence plates, internal plates and door signs for display on hackney carriages and private hire vehicles.

Following some discussion on proposals made by officers, the representatives of the taxi trade present at the meeting agreed in principle to the following:

- a) Red background licence plate (9" by 7") to be displayed on the rear of hackney carriage vehicles.
- b) Yellow background licence plate (9" by 7") to be displayed on the rear of private hire vehicles.
- c) Internal plate (approximately 6" by 4") to be attached to the inside of the front windscreen. Such plate to show the serial number of the licence plate for the vehicle, the seating capacity and perhaps other information-advising customers on how to make a complaint.
- d) Licence plates affixed to the rear of vehicle to include serial number, vehicle registration number, seating capacity and expiry date of licence.
- e) There should be no requirement to display a plate on the front exterior of licensed vehicles.

7. Review advertising livery and signage for hackney carriage and private hire vehicles. Officers showed some samples of uniform signs for both hackney carriage and private hire vehicles. Such signs show the Chorley Council logo and the serial number of the vehicle's licence plate. It was acknowledged by the trade representatives that the display of a sign as a compulsory arrangement would assist in the enforcement of the licensing of hackney carriage and private hire vehicles with the borough. The licensed trade representatives agreed the following in principle:

- a) Red background oval shaped uniform sign to be displayed on the front doors of all licensed hackney carriage vehicles.
- b) The above sign to clearly state that the vehicle is licensed as a hackney carriage and to include the licence plate number of the vehicle to which it relates.
- c) Yellow background oval shaped uniform sign to be displayed on the front doors of all licensed private hire vehicles.
- d) The above sign to clearly state that the vehicle is licensed as a private hire vehicle and to include the words 'private hire pre-booked journeys only'. The sign to also include the licence plate number of the vehicle to which it relates.
- e) In addition to the above, proprietors may display other signs on their vehicles (acquired from a supplier of their own choice) advertising the name and telephone number of their taxi business. For this purpose, the existing conditions attached to hackney carriage and private hire vehicle licences to remain unchanged save that no livery other than the Council's approved signs will occupy any area of the front doors of any licensed vehicle.
- f) As with present arrangements, the proprietor's own sign advertising their taxi business may also include advertising relating to other organisations or businesses. However, the predominant feature of the sign must be advertising of the proprietor's own taxi business and any further advertising relating to other businesses must be incidental to that and approved by officers prior to it being apportioned to the vehicle.

Licence plates and uniform signs for display on the front doors of vehicles to be provided by Chorley Council Licensing office at an approximate cost (excluding VAT) of:

- £9.00 for rear plate (payable on first issue and for each subsequent licence renewal – or at the time of replacing a licensed vehicle)
- £16.50 for a pair of uniform signs (payable on issue only, although new signs will be required if the vehicle is replaced)
- £7.00 for an internal identity plate showing the licence number (payable on first issue only – will be portable when vehicle replaced, although a new plate will be needed if replacement vehicle has a different seating capacity). A plate holder will be required at

an additional cost the cost will vary according to the type of holder required for differing vehicles.

(Any single item i.e. 'replacement item' will be charged at the Council's minimum charge of £21.00)

8. Representations were made at the meeting by members of the Hackney Carriage trade to give consideration to the merits of signs a fixed to rear windows due consideration was given to this and it is felt these would not be as easily visible to recognisable as door signs and would be obstructed if the windows were lowered.
9. In order to provide the above products, the Licensing office intends to acquire all associated materials and IT software etc from an organisation called MOGO. The above charges have been calculated on the basis that all materials will be provided to proprietors at no cost to the Council. Samples of the proposed licence plates and identification signage to be displayed on licensed vehicles will be circulated at the meeting.
10. It is proposed that the proposed changes to vehicle livery and licence plates will be introduced on an incremental basis where the licensed vehicles are required to renew their licence. No operator shall be disadvantaged as any operator will be welcome to take up the option to display the new livery and plate at any time prior to renewal at their own cost. It is proposed that the Council will be in a position to launch the new livery conditions in June 2008. In conjunction with alternative arrangements for the testing of licensed vehicles which have yet to be determined.
11. At the above LLP meeting, it was noted that under existing arrangements proprietors have been required to pay a fee £10 deposit upon issue of a licence plate. It was therefore raised that proprietors will be entitled to a refund of the above sum from the Council upon return of their existing licence plate and production of a receipt for any deposits paid they could use that money to offset a portion of the costs incurred in paying for the items outlined in number 7 above.
12. Officers maintain that in the interests of the safety and welfare of the public hackney carriage and private hire vehicles should be clearly identifiable. This argument is supported by the fact that during the past 12 months the Licensing and Enforcement Officers have dealt with at least 18 issues where problems associated with insufficient identification signage on licensed vehicles has been highlighted.
13. In addition to the above one of the objectives of Chorley Council Crime and Disorder Reductions Partnership (CDRP) is to influence the provision of safe routes from town centres, particularly late at night when people are leaving pubs and other places of entertainment. The CDRP therefore supports any move to ensure that licensed taxis can be easily identifiable by the public. Crime Prevention Officer, Margaret Rushton also supports the proposal.
14. The Council at present issue a windscreen disc to identify whether or not the vehicle is in test. This disc is renewable twice a year and is designed to operate in much the same way as a tax disc. However it is proved to be ineffective as a control measure in practical terms of enforcement as no other enforcement agency understands its relevance or significance in relation to the validity of the licence attached to the vehicle. The disc only indicates that the vehicle has a valid taxi test and may or may not be in synchronisation with the licence, this further causes confusion in terms of enforcement issues and in administration. The inclusion of an expiry date on the rear plate will contribute to the disc being redundant along with the changes to be determined on vehicle testing.
15. In order to maintain the integrity of hackney carriage and private hire licence plates, it is recommended that it is a condition of licensing that any expired plate is handed to the Council at the same time as any renewal is issued. Also that a written statement is

produced by a vehicle proprietor where a request for a replacement plate is requested, stating the reason for the replacement and that the plate is not in the possession of that person and its whereabouts are unknown.

16. For members' information, the authority to attach conditions to hackney carriage and private hire vehicles licensed is contained within relevant Sections of the Local Government (Miscellaneous Provisions) Act 1976.

Section 47 of the Act states:

- 1) A district Council may attach to the grant of a licence of a hackney carriage such conditions, as the District Council consider reasonably necessary.
- 2) Without prejudice to the generality of the foregoing sub-section, a District Council may require any hackney carriage licensed by them to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.
- 3) Any person aggrieved by any conditions attached to such licence may appeal to a Magistrates' Court.

With regard to private hire vehicles Section 48 of the above Act includes:

- 1) A District Council may attach to the grant of a licence under this Section conditions, as they may consider reasonably necessary including conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.
- 2) Any person aggrieved by any conditions specified in such a licence may appeal to the Magistrates' Court.

## IMPLICATIONS OF REPORT

17. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	✓	No significant implications in this area	

## COMMENTS OF THE CORPORATE DIRECTOR OF GOVERNANCE

18. The governing legislation and public interest considerations have been identified in the body of the report.

ANDREW DOCHERTY  
CORPORATE DIRECTOR OF GOVERNANCE

There are no background papers to this report.

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Stephen Culleton	5726	14 March 2008	LEGREP/1703JA4