

TITLE:	PRIVATE HIRE & HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS
TO/ON:	LICENSING COMMITTEE THURSDAY, 6TH JULY 2006
BY:	HEAD OF LEGAL & DEMOCRATIC SERVICES
LEAD MEMBER:	LEADER OF THE COUNCIL
STATUS:	FOR PUBLICATION

1. PURPOSE OF THE REPORT

- 1.1 To advise members of the current Private Hire & Hackney Carriage vehicle licence conditions and proposed amendments.

2. RECOMMENDATIONS

- 2.1 It is recommended that the committee resolve to consider the need to amend the condition in order to clarify the intentions of the Authority and to amend appropriately.

3. REPORT AND REASONS FOR RECOMMENDATIONS AND TIMETABLE FOR IMPLEMENTATION

- 3.1 The current Hackney Carriage and Private Hire vehicle conditions were approved by the Licensing Committee on 3rd March 2004.

- 3.2 Condition 3.1 of the Hackney Carriage Vehicle conditions states:

“The driver of a hackney carriage shall not place or suffer to be placed any printed, written or other matter by way of advertisement on any part of the vehicle, other than a roof sign complying with the hackney carriage licence conditions.”

- 3.3 Condition 1.5 of the Private Hire Vehicle conditions states:

“Except where expressly prohibited by these conditions, advertising material may be displayed on the vehicle, subject to the approval of the Council or Authorised Officer of the Council to the type of material and content of the advertising material.”

- 3.4 The motive behind the condition referred to at 3.2 is that the public should be able to clearly identify a hackney carriage by means of the licence plates to the front and rear, the local authority crest on the driver and passenger doors and the roof sign. Any

other markings on a vehicle detracts from the easy recognition that it is a licensed hackney carriage.

- 3.5 The different approach taken with private hire vehicles as referred to at 3.3 reflects the way in which they are hired. Private Hire vehicle are pre-booked and the driver should know the name of the hirer when he attends to collect them.
- 3.6 Hackney Carriages can be flagged down in the street or approached whilst stationary and it is therefore more important that hackney carriages are readily identifiable.
- 3.7 The committee are invited to consider whether signage on the hackney carriage vehicle showing the name of the taxi company, its telephone number and/or address should be considered as advertising and not allowed, or that limited details of the company should be allowed and if so, the nature and extent of the signage.
- 3.8 The committee are also invited to acknowledge that the current condition regarding private hire vehicles is appropriate.
- 3.9 The committee are also invited to determine whether any signage already in place on vehicles should be phased out or removed at the outset.
- 3.10 A request was raised at the previous Licensing Committee to display the number of passengers that the vehicle is licensed to carry, under the Council crest located on the front doors of the vehicle.
- 3.11 Following the request, there is currently an indication on vehicles as to the number of passengers that they are licensed to carry, in the form of the plates to the front and rear of the vehicle. To place some form of notice on the exterior of the vehicle in addition to the crest would cause problems for some models of vehicles in respect of locating the notices on the doors.
- 3.12 The committee are thus invited to consider whether this is appropriate and if so, whether it might be more appropriate to locate notices duplicating the information contained on the plates of the vehicle, inside the vehicle.

4. CORPORATE IMPROVEMENT PRIORITIES

4.1 FINANCE AND RISK MANAGEMENT

4.1 The Authority must act in a transparent and open manner.

4.2 MEMBER DEVELOPMENT AND POLITICAL ARRANGEMENTS

4.2 Not applicable

4.3 HUMAN RESOURCES

4.3 Not applicable

4.4 ANY OTHER RELEVANT CORPORATE PRIORITIES

4.4 Quality services for local people and confident communities. Hackney Carriage and Private Hire drivers are relied upon by the travelling public to be persons of honesty and reliability.

5. RISK

5.1 There is a risk of vicarious liability should the Council licence an unfit driver whilst working in that capacity.

6. LEGAL IMPLICATIONS ARISING FROM THE REPORT

6.1 There are no implications. The applicant's Human Rights are protected by a right of appeal to a Magistrates Court.

7. EQUALITIES ISSUES ARISING FROM THE REPORT

7.1 There are no equalities issues.

8. WARDS AFFECTED

8.1 All Wards could be affected

9. CONSULTATIONS

9.1 Nil

Background documents:

None.

**For further information on the details of this report, please contact:
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