

Committee:	Licensing and Environmental Health Committee	Date:	Tuesday, 29 September 2020
Title:	Introduction of New Uttlesford Door and Dashboard Signs		
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Summary

- 1 Report to ensure the Licensing Committee are fully aware of officers proposal to introduce new door and dashboard signs for Private Hire and Taxi vehicles in Uttlesford.
 - 1.1. Members will be aware that the Council is responsible for licensing and regulating two types of vehicles. These are hackney carriage and private hire vehicles. There is no reference in the Town Police Clauses Act 1847 (TPCA) (Hackney Carriage Legislation) or the Local Government (Miscellaneous Provisions) Act 1976 (Private Hire Legislation) to a 'Taxi'. The dictionary definition of 'Taxi' is 'a public passenger vehicle, especially an automobile, usually fitted with a taximeter'. The Transport Act 1980, s64, does refer to a Taxi as being any vehicle licensed under s37 of the TPCA. This is the section used to license hackney carriage vehicles.
 - 1.2. Under section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976, a District Council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates under Section 48(7) of the above Act. Any person aggrieved by the refusal of a District Council to grant a vehicle licence under this Section, or by any conditions specified in such a licence, may appeal to a Magistrates' Court.
 - 1.3. For the purpose of the above, the Council has established Conditions attached to the grant of a hackney carriage and private hire vehicle licence.
 - 1.4. The standard licence conditions read: 'Display at all times the vehicle plate provided by the Council in a prominent position at the rear and on the exterior of the vehicle, this is in pursuant to s48(6) of the Local Government (Miscellaneous Provisions) Act 1976. One shall be securely fixed to the rear of the vehicle in a conspicuous position and in such a manner as to be easily removable by an authorised officer of the Council or a constable.

- 1.5. The Local Government (Miscellaneous Provisions) Act 1976, s481 (1)(a)(ii), prescribes that a vehicle cannot be licensed as a private hire vehicle unless the licensing authority is 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”.
- 1.6. The Transport Act 1980, s64, prohibits the word ‘taxi’ to be displayed on or above the roof of a private hire vehicle, although there is no legislation prohibiting the word ‘taxi’ being displayed anywhere else on the vehicle, the addition of door and or dash board signs with pre booked only would give distinction between a taxi and private hire vehicle.
- 1.7. The addition of door signs with the Uttlesford crest, vehicle number and pre booked only wording for private hire would (a) give a clear distinction between our taxis and private hire trade as the vast majority of the general public would not know a private hire vehicle has to be pre booked and invalidates the vehicles insurance if it’s not. (b) With the Department for Transport looking at regulations to stop taxi drivers from operating in geographical areas that are miles away from where they were issued their licence, it would make cross border enforcement easier in identifying our fleet.
- 1.8. Individual drivers have to display a visible badge providing details to the passenger in identifying that they are appropriately licensed in accordance with legal legislation. It is clearly important that people are able to identify a licensed driver and whilst small badges on drivers are often difficult to see by the public, especially from the rear of the vehicle a “Big Face” driver ID badge / vehicle information combination allows this information to be prominently displayed inside the vehicle on the dash board or in the window and in full view of the public, without the need for them to be struggling to see the ID worn by the driver. The forward facing aspect of the badge displaying the vehicle details allows the vehicle to be identified as an Uttlesford licensed vehicle as it approaches you rather than the need to look behind the vehicle once it has passed by.
- 1.9. I would like to make Members aware that some other local and national authorities require the display of door signs on the hackney carriage and private hire vehicles. Big Foot vehicle plates can also be recycled meaning that Uttlesford is helping offset our responsibilities to the planet

2.0 The proposal also supports Section 4.31 of the New Government Standards:

*To ensure that passengers know who to complain to, licensing authorities should produce guidance for passengers on making complaints directly to the licensing authority that should be available on their website. **Ways to make complaint to the authority should be displayed in all licensed vehicles.***

2.1 Annex- Staying Safe: Guidance for passenger

Educate the public in the differences between taxis and private hire vehicles e.g.:

- A taxi can be flagged down or pre-booked.
- **A private hire vehicle that has not been pre-booked should not be used as it will not be insured and may not be licensed.**
- **What a private hire vehicle should look like e.g. colour, signage, licence plates etc.**
- The benefit of pre-booking a return vehicle before going out.
- Arrange to be picked up from a safe meeting point.
- Requesting at the time of booking what the fare is likely to be.

Recommendation

1. The recommendation is that the Licensing Committee fully support the implementation of new Uttlesford Signs (door and dashboard) which aim to improve the safety of the public.

Financial Implications

2. Implementation will have a financial impact. The cost of the current plate will increase from our current plate provider by approximately £15. It will increase as follows

Drivers will also need to purchase an additional badge every 3 years.

As a result fees and charges will need to be amended accordingly for drivers (re 2 x badges)

Vehicle license (dash badge and door badge) additional cost every year

Amending the cost of the license will ensure they are accurate and reflect the cost of inclusion of the new signs. This will ensure they reflect the service and cost neutral to the taxi trade.

Background Papers

3. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Appendix A - Copy of Uttlesford Door sign

Appendix B – Copy of Uttlesford Dash sign

Impact

- 4.

Communication/Consultation	Legal advice was sought and no consultation was needed due to the
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	introduction of the Statutory Standards. Driver's additional badge will take 3 years to address. Vehicle additional signs will take one year to roll out to vehicles.
Community Safety	The document will enhance licensing authorities standards are met nationally (and therefore the risk associated for the public) It will also aim to reduce Uttlesford PHV drivers illegally touting the public in areas outside of our council region.
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	This is a proportionate approach to ensure licensing authorities including Uttlesford carry out their due diligence.
Sustainability	N/A
Ward-specific impacts	N/A
Workforce/Workplace	N/A

Situation

The policy will be required to be accepted by the Licensing committee and thereafter placed upon our website and added to our policy booklet.

Risk Analysis

5.

Risk	Likelihood	Impact	Mitigating actions
3 = Significant risk or impact – action required	2 = Some risk or impact – action may be necessary.	3 = Significant risk or impact – action required	3 = Significant risk or impact – action required

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.