

SUBJECT:	Hackney carriage & private hire licensing policy
REPORT OF:	Interim Director of Services – Anita Cacchioli
RESPONSIBLE OFFICER	Head of Healthy Communities – Martin Holt
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WARD/S AFFECTED	All

1. Purpose of Report

1.1 This report is to provide the Committee with details of the outcome of the further consultation that has taken place with the trade with regards to Hackney Carriage door stickers and alternative options as requested by the Committee at its meeting on 14th December 2016.

1.2 The draft policy attached as Appendix 1 has also been updated with amendments requested by Members at the meeting of the Committee on 14th December 2016 and regarding the impact of the Immigration Act 2016 on the hackney carriage and private hire licensing.

1.3 RECOMMENDATION

1.4 It is recommended that

- i) the Committee considers the responses to the further consultation with the Trade and decides whether Hackney Carriage Door stickers are required and if so what type of sticker will need to be displayed.
- ii) in considering these responses the Committee notes that the trade has indicated that it is in support of the use of QR Codes as part of the internal plate which is displayed in the windscreen of Hackney Carriage and Private Hire Vehicles.
- iii) the Committee agree to changing the door sticker design and size in line with the alternative option proposed in para 4.5 for this report for private hire vehicles, and confirm whether any change should be implemented immediately with a bulk print of the new design, or a gradual implementation with new stickers being provided on the annual renewal of private hire vehicle licences.
- iv) the revised draft Hackney Carriage and Private Hire policy be recommended to Full Council on 17th October 2017 for adoption with effect from 1st December 2017.

2. Reasons for Recommendations

2.1 On 14th December 2016, the Committee considered the consultation responses to the draft Hackney Carriage and Private Hire Policy. Following consideration of the responses, the Committee approved the draft policy as amended by the Committee, with the exception of the proposed door sticker requirement for Hackney Carriages. The Committee requested that the Licensing team arrange further consultation with the trade on this matter, and to provide a further report once this had taken place detailing all the options and assessment of those options for consideration by Members.

2.2 Through the consultation with the Chiltern Taxi Drivers Association ("CTDA"), it has become clear that whilst the trade is not in support of having door stickers or any alternative identification on the side

of its Hackney Carriage vehicles; it is supportive of the use of QR Codes as part of the internal plate, and feels that this is a suitable compromise. The reason for recommendation ii) is that whilst the use of internal plates has already been agreed by Members as stated in the draft policy, and the design of these is more a practical matter than a policy concern, it is considered to be valuable to note that the trade has expressed support for these.

- 2.3 In addition to the issue of door stickers, the trade also raised concerns about changes to the penalty levels in regards to the use of handheld devices on 1st March 2017, and the potential for points to be issued to drivers using these. Some two way radios are exempted from these penalties but would have been a cause for the issue of points under the current draft enforcement policy. In consultation with the Head of Healthy Communities and the Licensing Chairman, it has been agreed that the wording 'unless exempted' be included in this section of the enforcement policy, so that this is in line with current law.
- 2.4 Once the members have decided upon the issues regarding hackney carriage door stickers the next appropriate step is to recommend the draft Policy with or without further modification regarding hackney carriage door stickers to Full Council for adoption as stated in recommendation iv)

3. Background

- 3.1 On 14th December 2016, the Committee considered the consultation responses to the draft Hackney Carriage and Private Hire Policy. Following consideration of the responses, the Committee approved the draft policy as amended by the Committee at its meeting, with the exception of the proposed door sticker requirement for hackney carriages. The Committee requested that the Licensing team arrange further consultation with the trade on this matter, and to provide a further report detailing all the options and assessment of those options for consideration by Members once this had taken place.
- 3.2 A meeting took place between the CTDA and Licensing team on 19th April minutes from the meeting are attached in Appendix 2. Following the meeting the trade also provided details of its own recorded notes which are attached as Appendix 3.
- 3.3 The aim of the meeting with the trade was to look at the design of door stickers and all the potential options for identification of hackney carriages so that these could be presented to the Committee for consideration. Details of the options discussed, together with the view of the trade with regards to each option are contained within this report at para 4.1.
- 3.4 Whilst the Committee confirmed at its meeting on 30th March that Hackney Carriage door sticker options were to be considered further, and that it was satisfied that Private Hire Vehicles should continue to have a door sticker requirement; the design and size of door stickers generally could be considered at this meeting if necessary following consultation with the trade.
- 3.5 As the issue of Hackney Carriage door stickers is the only aspect of the draft policy that the Committee is left to approve, once a decision has been made as to the way forward on this aspect of the draft policy, the Committee will be in a position to recommend the draft policy to Full Council for adoption with effect from 1st December 2017.

4. Discussion

- 4.1 A number of options were suggested by the Licensing Manager for consideration by the Trade representatives at the meeting, and the trade representatives were also asked whether there were any options that they would like to put forward for consideration by Members. The table below details the options considered, together with the view expressed by the trade for each option.

Option	Option discussed	Trade View
A	Door stickers (as in existing policy and draft policy consulted on)	Police logo unacceptable and generally feel that these are unnecessary as previously discussed at Committee.
B	New smaller door stickers without police logo	Same issue as existing door stickers available. Although the new door stickers without police logo would be better than current sticker for private hire vehicles.
C	Door Stickers on magnets (to prevent sticker damage to vehicles)	Considered these will come off when vehicle driving on motorways or similar. As above, the trade does not feel that door stickers are necessary at all. In addition, magnets would also be very expensive.
D	Use of vehicle specific no smoking badges (required no smoking signs could include vehicle licence number)	No smoking stickers are regularly peeled off by customers and drivers tend to keep a stock to replace when needed. Stickers including the vehicle number would need to be produced and provided by the Council and this would not be practical or cost effective
E	Use of QR Code on internal plate	Felt to be a good alternative to having anything on the side of the vehicle

4.2 Whilst a variety of options were proposed and considered at the meeting, the CTDA advised of the perceived issues with each of these options. It is clear from the responses to the options discussed that it has not been possible to agree a suitable door sticker or alternative to door stickers for the identification of Hackney Carriages with the Trade.

4.3 Although the CTDA did not feel that any side identification was necessary or suitable, trade representatives did express support for the use of QR Codes on the internal plates as an alternative. Although it is described as an ‘internal plate’ the information is displayed so it can be seen from the outside of the Hackney Carriage vehicle and is shown below:

Example internal plate



4.4 At the meeting with the trade on 19th April, the trade representatives advised that they would seek views from other members with regards to the options discussed. At the time of writing this report no further views from other members of the trade not present at the meeting have been received.

4.5 The Trade representatives advised at the meeting that they recognised the need for door stickers on private hire vehicles, and were in favour of the smaller, oval shaped stickers which were presented at the meeting as an option. The images below show the two types of sticker and sample will be shown to Members at the meeting so that the difference can be demonstrated. The trade has also been

clear throughout the consultation that it does not support the use of the Thames Valley Police Logo on any door stickers.

Door Sticker Options



Current door sticker



Alternative door sticker

5. Corporate Implications

5.1 Legal

The policy once adopted affects the approach that the Council will be taking for hackney carriage and private hire licensing. This will impact on the level of compliance and enforcement actions taken.

5.2 Equalities Act 2010

The impact of the policy on equalities has been considered whilst conducting the review, and no adverse equality issues were identified at the time that the draft policy was revised and approved for consultation. However, during the earlier consultation a number of responses highlighted significant concerns that the draft policy was indirectly discriminatory, specifically in relation to ethnicity and religion, so the original Equalities Impact Assessment (EIA) carried out was reviewed in light of these concerns. It is not considered necessary to carry out a further EIA specifically regarding the issues considered in this report as these have already been considered as part of the earlier stages of the policy review.

6. Links to Council Policy Objectives

6.1 The publication of an effective Hackney carriage and private hire policy links to all 3 of the Council's headline objectives:

1. Delivering cost- effective, customer- focused services
2. Working towards safe and healthier local communities
3. Striving to conserve the environment and promote sustainability.

7. Next Steps

- 7.1 Once the Committee has made a decision with regards to the door stickers for Hackney Carriages, the draft policy can be finalised to reflect this, and can then be recommended for adoption by Full Council.

Background Papers:	Draft Chiltern District Council Hackney Carriage and Private Hire Policy as agreed for consultation by the Licensing & Regulation Committee on 28th June 2016
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