

**REPORT TO:** LICENSING COMMITTEE

**Date of Hearing:** 18 July 2017

**Report of:** Assistant Director Environment

**Type of Application:** To seek the introduction of amendments to the policy relating to Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators

**Legislation:** Local Government (Miscellaneous Provisions) Act 1976

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Licensing is a Council function delegated to the Licensing Committee

**1. What is the report about?**

- 1.1 The report seeks to introduce amendments to the current policy relating Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators.

**2. Recommendations:**

- 2.1 It is recommended that the Committee accepts the updated compilation of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators

**3. Reasons for the recommendation:**

- 3.1 The Licensing Team have been contacted by DigiCAB Media to request permission for them to install passenger facing digital information screens within Licenced vehicles. In-vehicle advertising had not been included in the previous version of the policy, and as such an additional Appendix (Appendix R), has been added to introduce relevant conditions for in-vehicle digital media. DigiCAB have confirmed that they would be happy to include public safety information from ECC/ Community Safety Partnership as part of the advertising feed should this amendment be agreeable to the Committee.
- 3.2 At the Licensing Committee Meeting of 28<sup>th</sup> March 2017, Members resolved to approve the amended policy following additional safety information provided by the company, and the appearance of a company representative at the meeting to demonstrate the system.
- 3.3 Following on from that meeting the company have been in contact to inform us that they have been unable to fulfil point 14 of the proposed new policy appendix which requires that "Passengers must be able to turn the screen off". They are able to provide a switch on the drivers control panel so that the driver may turn off the screen at the request of a passenger. Point 14 of the new policy appendix has therefore been amended as follows "Drivers must comply with a request from a passenger to turn off the screen".

**4. What are the resource implications including non financial resources.**

- 4.1 The resources required to fund the amendments to the policy detailed above will be provided from the Taxi Licensing budget which is paid for via licence fees. This budget is ring fenced and must be used to fund the costs of taxi licensing/ enforcement.

**5. Section 151 Officer comments:**

As stated in the report the taxi licence budget is ring-fenced and managed via an earmarked reserve. There are therefore no financial implications for the General Fund from adopting this proposal.

**6. What are the legal aspects?**

- 6.1 The Licensing Authority has a statutory duty to ensure that public safety is not compromised when considering the issue of licences and to ensure that any vehicle licensed is suitable, safe and fit for the purpose. It is felt that the proposals contained in this report will enhance public safety without significantly increasing the burdens on existing or prospective licenced drivers/ proprietors.

**7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

**8. Report details**

- 8.1 The Licensing Committee on 22 September 2015 adopted an Updated compilation of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators.
- 8.2 It is necessary to seek approval for further revisions of this document in order to enhance standards and safety with respect to this aspect of licensing.
- 8.3 The amendments include a proposed new Appendix (Appendix R) to allow suitable passenger facing digital information screens within Licenced vehicles together with the revision of wording in section 3.4 and paragraphs A15 and M16 to confirm the Licensing Authority retains control over permitting internal as well as external advertising for both Hackney Carriage and Private Hire Vehicles.

**9. How does the decision contribute to the Council's Corporate Plan?**

- 9.1 Approving these amendments will contribute to a healthy and safe city and assist the primary aim of taxi licensing which is to protect public safety.

**10. What risks are there and how can they be reduced?**

- 10.1 Formulating a hackney carriage vehicle policy that protects public safety should lead to a positive impact on creating a vibrant city to live, work and visit. The higher quality standards were coupled with the decision not to maintain the policy of restriction, in order to prevent any negative impact (if any); the amendment to policy in this report will assist in this prevention.

**11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?**

- 11.1 The proposed amendments should lead to a positive impacts on safeguarding through the agreement to include public safety information from ECC/ the Community Safety Partnership as part of the advertising feed.

**12. Are there any other options?**

- 12.1 Members could maintain the current policy, but this would risk the policy becoming out of date and thereby less effective.

**Assistant Director Environment**

**Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report:-**

None

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## Appendix R – Internal Advertising

### ADVERTISING INTERNALLY WITHIN THE VEHICLE VIA TV SCREENS

#### (DIGITAL MEDIA TECHNOLOGY)

Hackney carriage and private hire vehicles may install in-vehicle digital media technology to be used for advertising purposes and/or live feed material. To use this form of technology for advertising purposes and/or live feed material it must comply with the following conditions:

1. Digital media systems must be approved by the licensing authority before they are installed.
2. All broadcast material must comply with the OFCOM Broadcasting Code.
3. All films/video material must be classified by the BBFC as U or exempt from classification.
4. The only live feed material that can be shown is national/local news and weather.
5. All equipment must comply with any legislative requirements in respect of Construction and Use Regulations and other legislation.
6. All equipment must be designed, constructed and installed in such a way and in such material as to present no danger to passengers or driver, including from impact with the equipment in the event of an accident or damage from the electrical integrity being breached through vandalism, misuse or wear and tear.
7. The equipment must not interfere with any other safety, control, electrical, computer, navigation, satellite or radio system in the vehicle.
8. The intensity of any screen should not be such as to be visually intrusive or dazzling. The position of the screen must not obstruct the passenger's view of the meter and the visibility of the screen to following vehicles should be minimal.
9. Any screen shall be no larger than 15".
10. All equipment must be installed in the driver's compartment and should not be visible from the driver position. The screen may be installed in the driver and front passenger seat headrests, or other suitable location agreed by the licensing authority.
11. The installation must not be such as to weaken the structure or any other component part of the vehicle or interfere with the integrity of the manufacturer's original equipment.
12. The design must be discreet and complement the interior furnishing of the vehicle.
13. Passengers must be able to control the volume level, including turning the sound off. The driver must have overall control of the volume to make sure it does not distract them while driving. The sound should be automatically muted when the intercom is operated.
14. Drivers must comply with a request from a passenger to turn off the screen.
15. A notice should be displayed within prominent view and physical reach of all passenger seats giving instructions to passengers as to adjusting the volume and turning the screen off. The notice shall be in a suitable format and design for visually impaired people and visible in low light conditions.
16. The mute/volume control must be accessible from the nearside and offside passenger seats.

17. Once activated the mute should continue without further activation by the passenger until the passenger leaves the vehicle.
18. All equipment must be protected from the elements, secure from tampering and located such as to have no impact on the seating and luggage carrying capacity of the vehicle.