

Appendix B

Licensing Committee 11th July 2017

Roof signs

Public consultation has **NOT** been undertaken specifically on the use of roof signs on private hire vehicles. However, the public consultation held earlier this year invited respondents to make general and specific comments about proposed changes to Licence conditions. The Licensing Team has since received the following representations:

The Unite Union represent Hackney Carriage Drivers and Proprietors and have stated: Unite's position included on their petition is as follows: We strongly oppose the use of roof signs on Harlow Council licensed private hire vehicles, as with their use they, in our opinion, take on the appearance of hackney carriage taxis, which is contrary to law as stated in the Local Government (Miscellaneous Provisions) Act 1976 relating to private hire vehicle licensing:

Provided that a district Council shall not grant such a licence unless they are satisfied-

a) that the vehicle is-

(ii) not of such design and appearance as to lead ANY PERSON to believe that the vehicle is a hackney carriage.

And:

Private Hire Vehicle Roof Signs

We are very disappointed that Metro Cars, a wholly private hire company, have been allowed to fit and display roof signs to their vehicles, which in our view is a clear material change in their appearance.

They are of such design and appearance that the vehicles cannot be distinguished from saloon car taxis from other areas and this is creating confusion for the travelling public. There should be a clear difference in appearance between taxis and private hire vehicles as they provide different services, and we strongly feel that they should not be permitted.

This is a serious issue that affects both the hackney carriage trade and the private hire trade, and something that should surely have been only permitted after trade consultation and approval by the licensing committee?

See below legislation covering this subject:

Transport Act 1980

Part IV Miscellaneous & General

64. Roof-signs on vehicle other than taxis.

(1) ***There shall not***, in any part of England and Wales outside the metropolitan police district and the City of London, ***be displayed on or above the roof of any vehicle which is used for carrying passengers for hire or reward but which is not a taxi—***

(b) ***any sign***, notice, mark, illumination ***or other feature which may suggest that the vehicle is a taxi.***

(2) Any person who knowingly—

(a) drives a vehicle in respect of which subsection (1) is contravened; or

(b) causes or permits that subsection to be contravened in respect of any vehicle, shall be liable on summary conviction to a fine not exceeding [**F1**level 3 on the standard scale].

ABC Cars are one of 2 large local operators in Harlow and have made the following comments:

ABC believes they (roof signs) enhance and improve the image of the vehicle making it more visible and more professional. It would also help to unify the company fleet. With regard to research and information, we carried out an in-house survey. The findings were that 80% of drivers are in favour, 14% are not sure and 6% are against the idea.

If appropriate wording is used on the roof sign, i.e., **Pre-booked Only**, this could be an advantage to both company and Harlow Council and we could also display the Harlow Council logo. The customer would also benefit as they would more likely be getting into the correct car without any confusion and this would stop out of town vehicles encroaching on Harlow town's business and possibly help the local economy.

Metro Cars are the second of 2 large local operators and has made the following comments:

In respect of the roof signs

Metro Cars is a large Private Hire transport company, transporting in excess of a million customers per year. In the course of our business we transport passengers from all social groups with a range of needs including, children and adults with special educational needs and disabilities. We are always seeking to improve our customer safety and passenger experience and actively seek feedback from both our customers and drivers to achieve this.

As you are aware Harlow District Council proposed that Private Hire Vehicles should have roof signs some years ago and this was rejected by the drivers solely due to the cost implications. We have taken notice of relevant case law such as Yaka vs Tee 1984, consulted your department, our customers and drivers and the drivers of the Private Hire Association before commissioning the roof signs and have ensured they do not display any prohibitive wording nor do they illuminate. The roof signs portray our corporate image, they do not make our vehicles look like taxis as all taxis in Harlow are London style Black Taxis and therefore instantly recognisable as such. Many other licensing authorities have already implemented roof signs for private hire vehicles.

The Department for Transport in the Best Practice Guidance of March 2010 has a clear focus on public safety. It states that the aim of licencing is to protect the public, who should have reasonable access to services, such as we provide, as they play an integral part of local transport provision. It further states that Licensing requirements which are unduly stringent will tend to unreasonably restrict the supply of services and that local licensing authorities should recognise that too restrictive an approach can work against the public interest and can indeed have safety implications. It recognises that we transport some of the most vulnerable social groups and for that reason we need our vehicles to be easily identifiable.

The significant benefits of the roof signs for both customers and drivers are that

- The cars are easily identified. This means that particularly at times of reduced visibility our customers can identify our vehicles, providing security for the customer as they know they are getting into a licenced vehicle.
- The roof signs have also reduced the environmental impact both for noise in residential areas as drivers no longer prohibitively use the horn of the vehicle to identify themselves and for traffic flow as there are less restrictions as drivers are picking up customers more efficiently
- Reduction in failed pick-ups. This means that our customers are identifying our vehicles when they arrive and not missing them, often before the introduction of roof signs customers who did not identify our vehicle could be waiting outside making some social groups unnecessarily vulnerable
- The roof signs have significantly reduced the need for a driver to be re dispatched to a customer reducing the unnecessary mileage and environmental impact

Metro Cars intends to provide the public of Harlow with a 21st Century transport system in conjunction with HDC. Ensuring public safety and transparency of our service, customer care, creating local jobs and aiming to reduce the environmental impact of our business by realising as minimal a carbon footprint as we can achieve.

Kevin Harris

The Private Hire Association represents local private hire drivers and has made the following statement:

I write on behalf of Harlow Private Hire Association to state that most of our members are happy to have roof signs on their vehicles, providing they are not compulsory as a condition of licence.

It is the Associations' understanding that roof signs would not be a compulsory requirement and be supplied free of charge by the private hire operator. The drivers recognize and appreciate the benefit of displaying a roof sign on their PHV, both to public safety and increased driver's incomes. The roof signs are more noticeable to the public.

Please Note: References made by the Private Hire Association to surveys undertaken by third parties have been removed from the above statement.