

# LICENSING REGULATORY COMMITTEE

## Amendment to the wording in the Rules, Regulations and Procedures for Hackney Carriage and Private Hire Licensing.

9 June 2011

### Report of Licensing Manager

#### PURPOSE OF REPORT

To enable Members to consider a slight amendment to the wording regarding the correct use of the top light on hackney carriage vehicles included in the Rules, Regulations and Procedures for Hackney Carriage and Private Hire Licensing, in order to remove any ambiguity.

This report is public.

#### RECOMMENDATIONS

Members are requested to approve the proposed addition to the wording in the Rules, Regulations and Procedures for Hackney Carriage and Private Hire Licensing by adding the following paragraph to condition 7 on page 21 with regards to the correct use of top lights on hackney carriage vehicles.

**'This means that the top light box must be operated through the taxi meter at all times. Separate switches or devices that carry out this function independently of the meter are not permitted at any time.'**

#### 1.0 Report

1.1 There has been some recent confusion amongst a small proportion of the hackney carriage trade as to the correct operation of the top lights on their vehicles.

1.2 Lancaster City Council Rules and Regulations in relation to the top light states:-

‘Any roof signs shall be capable of illumination and be illuminated at all times when (and only when) the vehicle is available for hire.’

This condition is in line with neighbouring authorities, and means that a top sign should not be capable of illumination at any time when the vehicle is not available for

hire, nor capable of being switched off at any time when the vehicle is available for hire.

- 1.3 Having the top light illuminated when the vehicle is available for hire, indicates to a member of the public that the vehicle is available, and it also ensures that, if used correctly, the meter is reset at the commencement of each journey, thus helping to eliminate any fraudulent activities. Members are reminded that the licensing authority has a duty to protect the public.
- 1.4 It was brought to the Licensing Manager's attention that several of the hackney carriage vehicles licensed in Lancaster had a separate switch fitted which allowed the top light to be operated independently of the meter. The addition of the switch had been permitted by the previous licensing manager to solve a specific problem, however the provision has since been abused and has clearly allowed breaches of the above condition, making enforcement untenable and facilitating the possibility of misleading members of the public. All proprietors have been requested to remove the switch.
- 1.5 The request to remove the switch led to enquiries from a small minority of the trade, requesting clarification of the condition regarding this. Members are now requested to approve the wording above to be inserted, in order to provide that clarification.

## 2.0 Conclusion

Members are requested to approve the proposed change to the wording regarding the correct use of the top light on hackney carriage vehicles in order to provide clarification. This would mean that the whole condition would read:-

'Any roof signs shall be capable of illumination and be illuminated at all times when (and only when) the vehicle is available for hire.

This means that the top light box must be operated through the taxi meter at all times. Separate switches or devices that carry out this function independently of the meter are not permitted at any time.'

### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

The Rules, Regulations and Procedures contribute to promoting the well being of Lancaster's Communities.

The additional recommendations will improve public safety, failure to continually improve safety could leave the Council open to criticism.

The proposed policy does not have the potential to cause negative impact or discriminate against different groups in the community based on age, disability, gender, race/ethnicity, religion or religious belief (faith), sexual orientation, or rural isolation.

### **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

**LEGAL IMPLICATIONS**

There are no legal implications arising from this report.

**BACKGROUND PAPERS**

None.

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