

Report for: ACTION
Item Number:



Contains Confidential or Exempt Information	NO – Part I
Title	Consideration of Petition from Hackney Carriage Drivers
Responsible Officer	Craig Miller, Community Protection and Enforcement Services Lead
Contact officer, job title and phone number	Steve Johnson, Enforcement Principal - 01628 683555
Member reporting	Councillor Asghar Majeed
For Consideration By	Licensing Panel
Date to be Considered	13th January 2015
Implementation Date if Not Called In	N/A
Affected Wards	All
Keywords/Index	Taxi; Hackney Carriage; Petition

Report Summary

1. On 29th September 2014, RBWM received a petition signed by 168 Hackney Carriage drivers.
2. The petition asks the Council to remove the requirement in the Hackney Carriage Policy and Conditions for Hackney Carriages to have a specific RBWM livery.
3. It proposes that Hackney Carriages should be white in colour with a small emblem/logo permitted on the front door of the vehicle.
4. It also asks for a ruling that Private Hire vehicles be barred from being white in colour.
5. The petition also requests that advertising be permitted on the rear half of Hackney Carriage vehicles to promote tourism in the Royal Borough
6. Finally, it asks the Council to alter the requirement in the Hackney Carriage Policy and Conditions for Hackney Carriages that relates to the age of vehicles. Currently, any wheelchair accessible vehicle has to be under 3 years of age when first licensed, whereas saloon vehicles have to be under 5 years of age.
7. The petition asks for the age limit to be changed so that all replacement vehicles can be under 5 years of age when first licensed.
8. Members are asked to consider the proposals contained in the petition.

If recommendations are adopted, how will residents benefit?	
Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
Residents will know with certainty of any changes to the Council's current policy in relation to Hackney Carriages.	This will depend on whether any changes are recommended and the timescales decided upon.

1. Details of Recommendations

RECOMMENDATION: That Members consider the requests made in the petition and decide whether or not to recommend that the Community Protection and Enforcement Services Lead should consult with the trade and other interested parties (including the police) about all or any of the requests.

2. Reason for Recommendation(s) and Options Considered

- 2.1 At its meeting on 17th April 2012, RBWM's Full Council resolved that all new Hackney Carriage vehicles must be in an approved livery including white paintwork, with bonnet and boot in the colour Pantone 259, and with the Council's logo on the side of the vehicle.
- 2.2 A photograph of a vehicle in the approved livery is attached as Appendix A.
- 2.3 The current Hackney Carriage Policy and Conditions state that any wheelchair accessible vehicle has to be under 3 years of age when first licensed, whereas saloon vehicles have to be under 5 years of age.
- 2.4 On 10th September 2013, RBWM received a petition signed by 168 Hackney Carriage drivers (although the petition states that it is written "on behalf of 180 hackney drivers"). The petition, a copy of which (with the signatures redacted) is now at Appendix B, asks the Council to:
 - a) remove the requirement in the Hackney Carriage Policy and Conditions for Hackney Carriages to have a specific RBWM livery. Instead, it proposes that Hackney Carriages should be white in colour with a small emblem/logo permitted on the front door of the vehicle.
 - b) rule that Private Hire vehicles be barred from being white in colour.
 - c) permit advertising on the rear half of Hackney Carriage vehicles to promote tourism in the Royal Borough.
 - d) alter the requirement in the Hackney Carriage Policy and Conditions for Hackney Carriages that relates to the age of vehicles so that replacement vehicles can be under 5 years of age when first licensed.
- 2.5 Members are now asked to consider these requests and to decide whether or not to recommend consultation on any or all of them.

- 2.6 Members should note that via Part 6 of RBWM's Constitution ("Terms of Reference of All Other Committees, Panels and Other Bodies of the Council") the Licensing Panel itself is able to determine and keep under review the Hackney Carriage Policy and Conditions.
- 2.7 Any changes which Members consider to be appropriate should be subject to consultation. Since, due to the impending elections, there is unlikely to be a Licensing Panel in April 2015, the results of any consultation will be referred back to the July 2015 Licensing Panel.

Option	Comments
1. To reject the proposals in the petition.	Members may feel that the requests are unjustified.
2. To recommend that the Community Protection and Enforcement Services Lead should consult with the trade and other interested parties about all or any of the proposals in the petition.	Hackney Carriage drivers have a reasonable expectation that there will be consultation on any proposed changes to the Council's policy and conditions.

3. Key Implications

What does success look like, how is it measured, what are the stretch targets

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Responses received (should members recommend any consultation)	0-4	5-14	15+	100% response rate	July 2015

4. Financial Details

None

5. Legal Implications

Under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 the council may attach such conditions as it considers reasonably necessary and may require any licensed Hackney Carriage to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a Hackney Carriage.

6. Value For Money

Not relevant at this stage.

7. Sustainability Impact Appraisal

None

8. Risk Management

Identify any potential risks associated with the options and the proposed course of action. If none, say so.

Risks	Uncontrolled Risk	Controls	Controlled Risk
Judicial Review	Any proposed policy change could be judicially reviewed.	The process in determining the policies is considered fair and reasonable and any consultation will be both genuine and extensive	Medium

9. Links to Strategic Objectives

This links to improving the environment, economy and transport as the livery is considered to enhance the Royal Borough's Hackney Carriage fleet and make them more available and identifiable to residents.

Our Strategic Objectives are:

Residents First

- Support Children and Young People
- Encourage Healthy People and Lifestyles
- Improve the Environment, Economy and Transport
- Work for safer and stronger communities

Value for Money

- Deliver Economic Services
- Improve the use of technology
- Increase non-Council Tax Revenue
- Invest in the future

Delivering Together

- Enhanced Customer Services
- Deliver Effective Services
- Strengthen Partnerships

Equipping Ourselves for the Future

- Equipping Our Workforce
- Developing Our systems and Structures
- Changing Our Culture

10. Equalities, Human Rights and Community Cohesion

A full EEQIA is not anticipated at this stage.

11. Staffing/Workforce and Accommodation implications:

None

12. Property and Assets

None

13. Any other implications:

None

14. Consultation

Members are being asked to decide whether or not to recommend that the Community Protection and Enforcement Services Lead should consult with the trade and other interested parties (including the police) about all or any of the requests.

15. Timetable for Implementation

A further report will come back to the Panel in July 2015 if Members wish to consider consulting on any or all of the proposals contained in the petition.

16. Appendices

Appendix A Image of an RBWM Liveried Hackney Carriage

Appendix B Petition from the Hackney Carriage Trade

17. Background Information

Sections 47 Local Government (Miscellaneous Provisions) Act 1976

18. Consultation (Mandatory)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council	23/12/2014	05/01/2015	
Cllr Cox	Lead Member	11/12/2014	18/12/2014	
Cllr Majeed	Licensing Panel Chairman	11/12/2014	12/12/2014	
Cathryn James	Strategic Director of Operations	11/12/2014		
Roxana Khakinia	Shared Legal Services	29/12/2014	31/12/2014	

Report History

Decision type:	Urgency item?
Non-Key decision	No

Full name of report author	Job title	Full contact no:
Steve Johnson	Enforcement Principal	01628 683555

APPENDIX A



To the Licensing Panel RBWM

RECEIVED

Petition for Hackney Carriage

We write on behalf of 180 hackney drivers.

We the undersigned request that "WHITE ONLY" Hackney Carriage taxi colour.

We believe that this issue is a restrictive practice and places an unfair disadvantage on Hackney Carriage drivers as a whole as their sectors are much smaller than that of the All Private Hire drivers, who in many more instances can do a wide area hiring and still be well within the area for which they are licensed.

- We have lost our private work with multiply colours.
 - We are unable or have lost our Executive work.
 - More vehicles are looking for rank space for this reason, and causing inconvenience to the residents in the town.
 - This will reduce congestion in town/ Ranks, and will have no extra cost to the tax payer needing day time ranks.
 - Logo can be same size / shape as Bus stops and will be consistent with rest of the transport in the Borough.
1. Colour change to complete white, this will enable us to cover executive and private work , and still be easy to recognise as hackney carriage, also would resolve over Ranking and congestion in the Town.
 2. Smaller Emblem / Logo on the front door as approved by full council in April 2012.
 3. Could we make a rule that only Taxis can be White in colour if approved?
 4. Private hire will be barred from having white car.
 5. If possible change of vehicle to start at 5 years in the event the vehicles are written off in an accident.

RECEIVED

LICENSING

6. Advertising could be permitted on back half of the vehicles to Promote TOURISM in RBWM.

- Lego Land are interested
- Ascot Races are interested
- Windsor Races are interested
- Windsor Castle




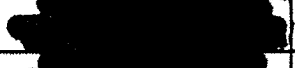
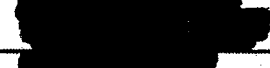

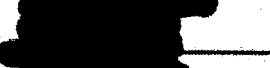
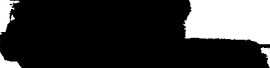
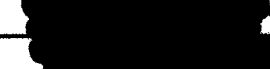
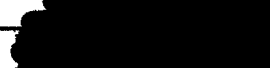
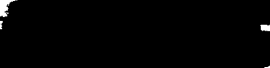
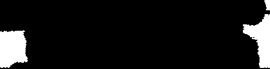
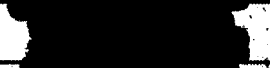
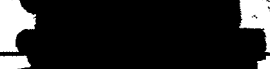
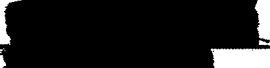







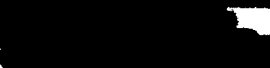


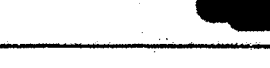
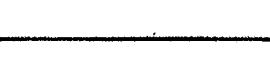
Petition

Colour Change to White Only .

Name	Badge No. or Tele. No.	Signature
IMTIAZ HUSSAIN	CD 6987	[REDACTED]
CH. AKRAM	HD 0213	[REDACTED]
EL MEHOI	CD 7024	[REDACTED]
MUHAMMAD RAZA	HD 6991	[REDACTED]
S. NAZIR	HD 6890	[REDACTED]
M. ARIF	6933	[REDACTED]
S. ASLAM	CD 6974	[REDACTED]
S.H. HAIDER	CD 7045	[REDACTED]
A. RAJOOOL	CD 7044	[REDACTED]
TIBOR TILL		[REDACTED]
A. ALI	HD 6878	[REDACTED]
FAYYAZ HUSSAIN	HD 6951	[REDACTED]
M. AKHTAR	HD 6939	[REDACTED]
	MUHAMMAD	[REDACTED]
JAVED IQBAL	[REDACTED]	[REDACTED]
MOHAMMED KHAID	HD 0337	[REDACTED]
Mateen	HD 161	[REDACTED]
MCA GHATEUR	4D 306	[REDACTED]
SUKHRIK VASID	HD 333	[REDACTED]
A. ALAM	HD 6880	[REDACTED]
G-HUSSAIN	HD 6956	[REDACTED]
HABIB KHAN	CD 5699 KHAN 02222 HASEEN	[REDACTED]
Bhupinder Singh	HD 0186	[REDACTED]
MUBEKIR GASHI	HD 6982	[REDACTED]
Mohammed Rasool	CD 7016	[REDACTED]

Petition

Colour Change of Hackney Carriage
& Removal of Specific Door Sign .

Name	Badge No. or Tele. No.	Signature
✓ SULTAN 		
✓ Abdul in Rehman		
ABID KHAN		
✓ M. RILSHARD	0926	
✓ K. ISLAM	CD 7911	
✓ Amjad Hussain	HD6916.	
✓ JAVED DURRANI	CD 7062	
M. GHAFUR	HD 306	
A. ASGHAR	HD 3045-	
✓ N. JARRAL	HD 6955	
✓ Abbas Mott	HD 6961	
Shafiq -ur - Rehman		
Imran Aziz	CD 6961	
SALID		
Raza Salid		
✓ Munwar shabir	RD 4539	
✓ NAJIB Bhatti		
✓ DHANAR . H. SYED	HD 6913	
3 SHAH SAHAN ROUF	AD 6960	

Petition

Colour Change to White Only . + Stickers.

Name	Badge No. or Tele. No.	Signature
SHAHID RASOOL	HD6989	
ZAFAR IQBAL		
TANVEER HUSSAIN	CD 7068	
MANAZIR HUSSAIN	HD6055	
MOHAMMED SARIR	HD0002	
MOHD. RAFA	HD0268	
SHOWKAT ALI	HD6902	
ABDUL NISAR	CD5189	
GYALA HUSZAR	CD7061	
Sajid - Mahmood	HD6978	
MOHAMMED RAZA	HD6904	
NAVEEY AZAM	HD6891	
ZAHID AFZAL	HD6974	
MOHAMMED AYUB	CD6911	
JAVED-IQBAL	HD895	
RIZWAN TARIQ	HD6908	
SARIB Mahmood	HP6885	
WAGAR MALIK	HD6953	
Malik Shah muneer	HD6971	
WAHEED AZAM	HD6973	
ASAD ALI	HD6905	
A. Hussain	(830)	
M. ALTAH HUSSAIN		
ASIF Muneer	CD6906	
MOHAMMED AH	HD6894	

Petition

Colour Change to White Only + Stickers

Name	Badge No. or Tele. No.	Signature
MUHAMMAD HUSSAIN	HD 6915	
AGSAD ALI	HD 6968	
Muhammad W Yousif	CD 7033	
ALI ASGHAR	HD 6983	
Tamir Hussain	HD 6927	
SHAHID ALI	HD 0202	
JEHANGIR MEHRAN	CD 6910	
YASSEEN HUSSAIN	HD 6975	
KAMRAN HUSSAIN	HD 6893	
ABID ALI	HD 6898	
MUHAMMAD SHAKEEL	HD 0013	
ABDUL WAHID	HD 0032	
NAVEED AHMED	HD 6930	
AGAZ AKHAR	HD 6984	
SAJID ALI	CD 5255	
M. YOUNIS	HD 0272	
G. JAFFRI	HD 6679	
UMAR HAYAT	HD 0254	
A.M. AFSAR	HD 6977	
MALIK R MEHMUD	HD 6887	
ZUBAIR HUSSAIN	CD 7019	
ABDUL BASIT QURESHI	HD 6920	
M. RAMZAN	HD 6925	
A. Asghar	HD 6979	
FAYYAN BHATTI	CD 6991	

Petition

Colour Change to White Only .

Name	Badge No. or Tele. No.	Signature
PARVEZ AKHTAR	HD 6889	
WAJID HUSSAIN	HD 6949	
KIAZ ZAMAN	CD 7030	
Tariq Hussain	CD 7056	
Asif Memon	CD 6906	
IMRAN ZAMAN	HP 0031	
JANGHIR ALI	HD 6970	
P. AKHTAR	HD 0211	
Basharat Mahmood	HD 6849	
MUHAMMAD NAEEM	HD 6954	
SAEED BASHIR	HD 6943	
ZAKIR ALI	H.D. 8242	
Muhammad Asif	H.D. 6959	
M. Munir	HD 0145	
Shahid Ali	HD 6556	
MAK SAIJAD	HD 6950	
Amir Mahmood	HD 6981	
MAHOOD A	HD 6946	
Umar Umar	824	
S.S. Ahmad	875	
TANVEER HUSSAIN	957	
A. H. AZAD	881	
ZAFAR IQBAL	CD 6942	
SAYED MUNIR	HD 9668	
SABIR HUSSAIN	HD 837	