



Request from Albatross Cars Ltd.for Disapplication of Door Signage Condition

SUMMARY

- 1.1 Albatross Cars Ltd has requested permission from the Council to depart from their standard condition in respect of the door signage on their private hire vehicles by using the word 'taxi' which is not allowed.
- 1.2 Albatross Cars Ltd has been voted the 'Best Taxi Company in Derby' by the Derby Telegraph and they wish to advertise the achievement on the door signs they are required to display.

RECOMMENDATION

- 2.1 To reject the request by A2Z Licensing to depart from the conditions attached to their Private Hire Vehicle Licence Conditions.

REASONS FOR RECOMMENDATION

- 3.1 To ensure that the design and appearance of any information displayed on a sign as part of their duty does not lead any person to believe that the vehicle may be a Hackney Carriage.

SUPPORTING INFORMATION

- 4.1 On 4 November 2014 the Licensing Team received a letter from A2Z Licensing, who represents Albatross Cars Ltd, requesting that the Council depart from their standard conditions in respect of the door signage used by Derby City Council licensed vehicles. A copy of the letter is attached at Appendix 2.
- 4.2 Private Hire Licence Vehicle Condition 11(i) does not allow the use of the words 'Taxi(s)' or 'Cabs' or 'For Hire' on Derby City Council licensed private hire vehicle door signs. A copy of the condition is attached for information at Appendix 3.
- 4.3 Albatross Cars Ltd has been voted the 'Best Taxi Company in Derby' by the Derby Telegraph and they wish to advertise this achievement on the door signs they are required to display.

- 4.4 Whilst the Transport Act 1980 prohibits roof signs including the word Taxi or Cab or Hire, it does not extend to signs bearing the name or telephone number of a firm. The Book 13th Edition identifies that many Councils use this sub-section to preclude such signs as part of their duty to ensure that the design and appearance do not lead any person to believe that the vehicle may be a Hackney Carriage and make identification easier for passengers.
- 4.5 Derby City Council addressed the issue by attaching condition 11(i) to the Private Hire Vehicles.
- 4.6 In the list of recommendations by the Law Commission on Reforming the law: Recommendation 4 states that the term 'hackney carriage' should be replaced in legislation with the word 'taxi'. The term 'private hire' should remain the same again to differentiate between the two types of licensed vehicle and avoid confusion.
- 4.7 The proposed sign that Albatross Cars Ltd wish to be approved if their request is granted is attached at Appendix 4.
- 4.8 Without the condition being dis-applied in relation to Albatross Cars Ltd, they would be breaching the conditions attached to their Private Hire Vehicle licenses if they displayed the proposed sign.

OTHER OPTIONS CONSIDERED

- 5.1 None applicable

This report has been approved by the following officers:

Legal officer	Lucie Keeler
Financial officer	n/a
Human Resources officer	n/a
Estates/Property officer	n/a
Service Director(s)	n/a
Other(s)	Michael Kay

For more information contact:	Sandra Mansell 01332 641931sandra.mansell@derby.gov.uk
Background papers:	None
List of appendices:	Appendix 1 – Implications Appendix 2 – Letter Received from A2Z Licensing Appendix 3 – Derby City Council Private Hire Vehicle Condition 11 Appendix 4 – Proposed Door Sign from Albatross Cars Ltd

IMPLICATIONS

Financial and Value for Money

1.1 There are no implications in this respect arising from the report.

Legal

2.1 As set out in the report.

Personnel

3.1 There are no implications in this respect arising from the report.

IT

4.1 There are no implications in this respect arising from the report.

Equalities Impact

5.1 There are no implications in this respect arising from the report.

Health and Safety

6.1 There are no implications in this respect arising from the report.

Environmental Sustainability

7.1 There are no implications in this respect arising from the report.

Property and Asset Management

8.1 There are no implications in this respect arising from the report.

Risk Management

9.1 There are no implications in this respect arising from the report.

Corporate objectives and priorities for change

10.1 The information set out in this report promotes and supports **better outcomes for our communities and more efficient and effective services.**