

Regulatory Committee

1.30pm, Monday, 22 October 2018

Request for Variation of Standard Licence Conditions – Taxi Vehicle Licences

Item number	7.1
Report number	
Executive/routine	Executive
Wards	All
Council Commitments	N/A

Executive summary

The Regulatory Committee is asked to consider a request for variation of the current standard licence conditions regarding the prohibition of display of unauthorised signage and notices placed on vehicles which are granted Taxi Licences.

The Committee is asked to determine whether a particular window and door sticker is appropriate and to decide whether to give consent in terms of standard licence condition 9 and whether to vary standard condition 277 to allow stickers to be attached to the vehicle.

Request for Variation of Standard Licence Conditions – Taxi Vehicle Licences

1. Recommendation

It is recommended that the Regulatory Committee:

- 1.1 Notes the content of this report and considers the request from Douglas Brown, Skypride Ltd and the report from the Taxi Examination Centre;
- 1.2 Agrees to give consent in terms of standard licence condition 9 for the stickers described in paragraph 3.2 of this report to be attached to Mr Brown's vehicle and to vary standard condition 277 to allow stickers to be fitted by adding the following words at the end of the current condition – “and the fitting of window stickers in respect of which the Council has given consent in terms of condition 9”;
- 1.3 Notes the intention to delegate authority to the Executive Director of Place to approve future applications for exemptions from the standard conditions of licence relating to door stickers; and
- 1.4 Instructs the Executive Director of Resources to include this additional delegation in future drafts of the Council's Scheme of Delegation when submitted to Council for approval.

2. Background

- 2.1 The City of Edinburgh Council's Licensing Conditions for Taxis, Private Hire Cars, Taxi Drivers and Private Hire Car Drivers regulate the conditions of fitness of Private Hire Cars (PHCs) and were approved by the Regulatory Committee on 21 November 2016 to take effect from 1 December 2016.
- 2.2 Licence condition 9 states “Except as otherwise provided for in these conditions the Licence Holder shall not, without the consent of the Council, fix or permit to be fixed on their Licensed Vehicle any plate other than the Licence Plates or other plate or notice required by law”.
- 2.3 Condition 277 states “277. The windscreen, all windows and glass partitions (where fitted) must be made of safety glass in accordance with the European Standard in force at the time of approval and be capable of affording an unrestricted view of the vehicle interior. An unrestricted view may permit a tint of up to 25% (+/-2%).”

3. Main report

- 3.1 The City of Edinburgh Council (“the Council”) has been contacted by Douglas Brown, Skypride Ltd requesting consent from the Committee in terms of standard condition 9 to attach stickers to his vehicle windows and seeking a variation to standard condition 277 to allow this. Correspondence from Mr Brown is attached at Appendix 1.
- 3.2 The window and door sticker referred to are stickers measuring 49.5mm (4.95cm) in height and 241.5mm in width (24.15cm), to be displayed as exterior passenger stickers on to the windows of the automatic door of Mr Brown’s Mercedes Vito taxi vehicle and the same sticker internally to be placed on the plastic door cover window shelf. The stickers come in a similar colour scheme to the current signage and blend in to the overall appearance of the vehicle. The colours used in the provided sign are black, white and grey. The interior sticker can be seen from within the taxi but the exterior sticker on the window can’t be seen from within the taxi, and can only be seen by approaching customers. An example of the sticker and photographs showing them displayed is attached at Appendix 2.
- 3.3 A number of Taxi vehicles now have automatic doors including the Mercedes Vito, and as a result some customers unwittingly grab the door handles, then try to push the door manually and in some cases this leads to damage to the door mechanism. By providing adequate signage it is hoped that this will help drivers educate customers that some modern taxis come with automatic doors and prevent unnecessary damage.
- 3.4 The Taxi Examination Centre advise that they have seen an increasing number of vehicles presented at the Taxi Examination Centre where licence holders are displaying ad hoc warnings or requests on the door windows. There is no consistency in the standard or quality of the signage and many are of poor quality, detracting from the appearance of the vehicles.
- 3.5 The Council’s standard conditions of licence make provision for the display of signs attached to Licensed Vehicles, particularly where proposed signage is to be displayed on the windows, on the grounds of safety to ensure that drivers have a clear and unobstructed view of the interior of the vehicle and through that out of the rear windscreen. The Committee is asked to consider varying standard condition 277, as it applies to Mr Brown’s licence, by adding the following words at the end of the current condition – “and the fitting of window stickers in respect of which the Council has given consent in terms of condition 9.”
- 3.6 The Taxi Examination Centre and Police Scotland have no objection to the request. (Appendices 3 and 4).
- 3.7 Mr Brown has been invited to committee to speak to his application.

4. Measures of success

- 4.1 Not relevant, as decisions on individual licences have to be considered on their own merits.

5. Financial impact

- 5.1 There is no direct financial impact on the Council. All costs are contained within existing budgets. The Council's scale of fees for licensing applications was approved with effect from 1 April 2018.

6. Risk, policy, compliance and governance impact

- 6.1 Applicants have a right of appeal to the Sheriff against refusal of a variation application.

7. Equalities impact

- 7.1 No equalities impact arise from the contents of this report.

8. Sustainability impact

- 8.1 There is no environmental impact arising from the contents of this report.

9. Consultation and engagement

- 9.1 None.

10. Background reading / external references

- 10.1 [City of Edinburgh Council Taxi and PHC Driver and Vehicle Licensing Conditions](#)

11. Appendices

- 11.1 Request for exemption from Licence Conditions
11.2 Example of stickers and photographs showing display
11.3 Report from Taxi Examination Centre dated 30 August 2018
11.4 Police Scotland letter dated 4 September 2018

Paul Lawrence

Executive Director of Place

Contact: Andrew Mitchell, Regulatory Services Manager

E-mail: Andrew.mitchell@edinburgh.gov.uk | Tel: 0131 469 5822

Contact: Gordon Hunter, Licensing Regulatory Officer

E-mail: Gordon.hunter@edinburgh.gov.uk | Tel: 0131 469 5774

Appendix 1 – Request for Exemption from Licence Conditions

From: Douglas Brown [mailto: [REDACTED]]
Sent: 19 August 2018 09:21
To: Gordon Hunter <Gordon.Hunter@edinburgh.gov.uk>
Subject: Letter to licensing committee

Douglas Brown
Skypride Ltd,
License 975
Taxi operator,
[REDACTED]
Edinburgh.

Dear licensing committee,

I seek and would appreciate your consideration and allowance of an exemption to licensing condition 25 for the right of the black taxi operator to display an exterior passenger sticker on to the windows of the automatic door of the Mercedes Vito. The sticker is no more than 49.5mm (4.95cm) in height and no more than 241.5mm in width (24.15cm) I also seek exemption to use the same sticker internally and placed on the plastic door cover window shelf, as seen on the photo's provided, both stickers are the same in design and size. The Stickers come in a similar colour scheme to the current signage and blend in to the overall appearance of the vehicle. The colours used in the provided sign are Black, White and Grey.

The interior sticker can be seen from within the taxi but the exterior sticker on the window can't be seen from within the taxi, the exterior window sticker can only be seen by approaching customers. This can be seen on the photographs provided.

The reason I ask for exemption is the current signage is inadequate, the current signage is not being noticed by customers. Many taxi customers just want to get in or get out of their Taxi and go to their destination, this results in some customers unwittingly grabbing the door handles, then trying to push the door manually, this can lead to frustration to the customer and driver, in some cases lead to unnecessary confrontation and damage to the door. The driver fears for damage to the door which could be very costly, the Mercedes Vito is an expensive investment and hopefully providing adequate signage will help drivers and educate customers that some modern taxi cabs come with automatic doors, automatic doors are meant to enhance customer experience in some cases it doesn't.

Thank you for your time concerning my request and ask hopefully you'll recognise a need for improving the signage and awareness of the Automatic Door on Black Cabs, I feel as long as the sticker doesn't compromise the overall look of the cab or dilute the overall customer experience we can all continue to offer the customer the stress free and safe journey that they are paying good money for.

Regards
Douglas Brown

[Sent from my iPhone](#)

Appendix 2



Appendix 3 – Report from Taxi Examination Centre dated 30 August 2018

Memorandum

From Robert Grieve
Senior Vehicle Examiner
Taxi Examination Centre
To Licensing Service

Our ref

Date 30 August 2018

**Your
ref**

Dear Sir / Madam

CIVIC GOVERNMENT (SCOTLAND) ACT 1982
City of Edinburgh Council Taxi and PHC Driver and Vehicle
licensing Conditions
Request to vary licensing Conditions – Window and door stickers

I write with regard to the above and the request from Douglas Brown requesting approval to display an exterior passenger sticker (Automatic Door Please Wait) on the windows and internally on the plastic door cover window shelf. I would have no objections to the introduction of these door stickers.

Licence condition 9 states

“Except as otherwise provided for in these conditions the Licence Holder of a Licensed Vehicle shall not, fix or permit to be fixed on the Licensed Vehicle any plate other than the private hire car plates or other plate or notice required by law”.

A number of vehicles now have automatic doors including the Mercedes Vito, and as a result of passengers attempting to open the door manually they are causing damage to the vehicle. As a result we have seen a number of vehicles presented at the Taxi Examination Centre where licence holders are displaying warnings or requests on the door windows, some of these are particularly garish and not easy on the eye.

Robert Grieve, Senior Vehicle Examiner, Directorate of Place

Taxi Examination Centre, 33 Murrayburn Road, Edinburgh, EH14 2TF
Tel 0131 529 5800 robert.grieve@edinburgh.gov.uk



Appendix 3 – Police Scotland letter dated 4 September 2018

4 September 2018

Your Ref:

Our Ref:

Licensing Manager
City of Edinburgh Council
249 High Street
Edinburgh
EH1 1YJ



Iain Livingstone QPM
Chief Constable

Taxi Examination Centre
33 Murrayburn Road
EDINBURGH
EH14 2TF

Dear Sir/Madam

Request for Exemption from Licence Conditions - Door Stickers

I refer to the application made by Douglas Brown, Skypride Limited to display exterior passenger stickers on to the windows of the automatic door of his Mercedes Vito Taxi.

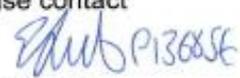
I can confirm that Police Scotland have no objection to this request.

Yours faithfully



Iain Livingstone QPM
Chief Constable

For enquires please contact

Inspector Smith 
Taxi Examination Centre