

# Regulatory Committee

9.30am, Monday, 19 August 2019

## Request for Variation: Taxi Vehicle Licence Conditions (Advertising)

Executive/routine Wards Council Commitments	All
---	-----

### 1. Recommendations

---

- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 Considers the request from Dooh Smart Ltd to install its 'Brightmove taxi top illuminated advertising technology' on City of Edinburgh Taxi vehicles;
  - 1.1.2 If it agrees with the request to allow such installation, to note the intention to delegate authority to the Executive Director of Place to approve such installations;
  - 1.1.3 Instructs the Chief Executive to include this additional delegation in future drafts of the Council's Scheme of Delegation when submitted to Council for approval; and
  - 1.1.4 Agrees a £57 one-off charge for examination of each vehicle in respect of future applications.

**Paul Lawrence**

Executive Director of Place

Contact: Andrew Mitchell, Regulatory Services Manager  
E-mail: [andrew.mitchell@edinburgh.gov.uk](mailto:andrew.mitchell@edinburgh.gov.uk) | Tel: 0131 529 4042

Contact: Gordon Hunter, Licensing Regulatory Officer  
E-mail: [gordon.hunter@edinburgh.gov.uk](mailto:gordon.hunter@edinburgh.gov.uk) | Tel: 0131 529 4042

## Request for Variation: Taxi Vehicle Licence Conditions (Advertising)

### 2. Executive Summary

---

- 2.1 The Committee is asked to consider a proposed variation to the current standard conditions attached to taxi licences regarding advertising in or on the vehicles. The Council has specific conditions based on the need for safety, which prevent non-standard fittings from being added to a Taxi. The Committee is asked to consider whether this style of advertising is appropriate, and if so to agree to the Council's Scheme of Delegation to Officers being amended to delegate authority to the Executive Director of Place to approve this type of advertising, and to vary the standard conditions of licence to disapply condition 299, insofar as it applies to 'Brightmove taxi tops' in the future.

### 3. Background

---

- 3.1 The City of Edinburgh Council's Licensing Conditions for Taxis, Private Hire Cars, Taxi Drivers and Private Hire Car Drivers regulate the display of signage on or in any vehicle submitted for licensing.
- 3.2 On 15 November 2013 the Regulatory Committee agreed to vary the standard conditions of licence relating to the control of advertising on taxis. Prior to this date all adverts or personalised marks had to be approved prior to them being placed on the taxi. Following a period of consultation, new conditions were agreed which removed the requirement for Council permission for certain types of advertising. In effect this deregulated licensing controls on the content of advertising on taxis.
- 3.3 For safety reasons, and separate from the conditions referred to in 3.2 above, condition 272 states "No fittings other than those approved may be attached to or carried upon the inside or outside of the taxi". Additionally, condition 27 provides guidance on what is not considered a suitable form of advertisement.

### 4. Main report

---

- 4.1 The City of Edinburgh Council has been contacted by Dooh Smart Ltd (Appendix 1) requesting approval in principle to place additional signage on taxis.

- 4.2 The proposed signage system ('Brightmove taxi tops') is a double-sided digital advertising platform that sits on the roof of a taxi. The brightness of the screens adheres to all roadside advertising regulations. There are two sensors (one for each screen), to automate the brightness dependent on weather/light. Further system details are provided in Appendix 1.
- 4.3 Condition 26 / 299 states "Advertisements on the exterior of taxis will be categorised as either door, super-sides or full livery". This system would not currently be permitted under Condition 299.
- 4.4 As Condition 272 states "No fittings other than those approved may be attached to or carried upon the inside or outside of the taxi", the installation of this system would not be approved under current conditions of licence.
- 4.5 Officers at the Taxi Examination Centre have inspected the system and would have no objection to the operation of this system on the current taxi fleet approved by the City of Edinburgh Council taxi model, subject to the monitoring of the system. Should any undesirable features become apparent, the Taxi Examination Centre would wish to have the power to withdraw authority for its installation and use. A report from the Taxi Examination Centre is attached at Appendix 3. Police Scotland have no objections to the application (Appendix 4).
- 4.6 If the committee approves in principle the fitting of 'Brightmove taxi tops' on taxis, it is requested that it also agrees to the Council's Scheme of Delegation to Officers being amended to delegate authority to the Executive Director of Place, via the Taxi Examination Centre, to give approval in terms of standard licence condition 26 for individual applications to install 'Brightmove taxi tops' and to vary the standard conditions of licence to disapply condition 299 insofar as it applies to 'Brightmove taxi tops'. Inspectors would have discretion to direct the removal of any advertising, should a problem arise.
- 4.7 An application fee of £57 per vehicle is proposed to allow applicants to vary the terms of their licence in this respect.
- 4.8 A similar application to allow roof top advertising on Taxis was refused following consideration at the Regulatory Committee on 21 November 2016.
- 4.9 The 'Brightmove taxi tops' system was approved by Transport for London in 2017 (Appendix 2), and more recently in Birmingham in September 2018.
- 4.10 Representatives of the applicant Dooh Smart Ltd have indicated that they intend to appear and present to the Committee.

## **5. Next Steps**

---

- 5.1 Council officers will monitor the implementation of the proposed changes if approved.

## **6. Financial impact**

---

- 6.1 A one-off charge of £57 per application is proposed.
- 6.2 The Council's scale of fees for licensing applications was approved with effect from 1 April 2019. Any costs implementing policy changes will be contained within the current ring-fenced income generated from licence application fees.

## **7. Stakeholder/Community Impact**

---

- 7.1 The proposal would permit individual operators to apply, but does not impose any additional conditions on the wider trade and therefore its impact will be limited.
- 7.2 Applicants whose variation application is refused will have a right of appeal to the Sheriff.
- 7.3 There is no equalities impact arising from the contents of this report.
- 7.4 There is no environmental impact arising from the contents of this report.

## **8. Background reading/external references**

---

- 8.1 [Licensing conditions for taxis and private hire cars, taxi and private hire car drivers](#)
- 8.2 [Item 6.2 Regulatory Committee Meeting 21 November 2016 - Request for Variation of Taxi Licence Conditions](#)

## **9. Appendices**

---

- 9.1 Appendix 1 - Dooh Smart Taxi Top Advertisings application
- 9.2 Appendix 2 – Letter from Transport for London dated 4<sup>th</sup> July 2019
- 9.3 Appendix 3 – Taxi Examination Report (still to be added)
- 9.4 Appendix 4 – Police Scotland Report

## Appendix 1



Gordon Hunter  
City of Edinburgh Council  
Level 9  
City Chambers  
249 High Street  
Edinburgh  
EH1 1YJ

24<sup>th</sup> June 2019

Dear Gordon,

Further to our recent conversations regarding the introduction of digital taxi tops in Edinburgh.

DooHsmart Ltd is a company specialising in roof top advertising for taxi vehicles. We currently have approval to install our product in London and (the same technology is also being used in Birmingham) and are keen to expand our operation to include Edinburgh.

I am aware of the current advertising restriction placed on Edinburgh taxi operators and we are seeking a variation to your standard licensing conditions to allow the installation of our product on Edinburgh vehicles. The attached presentation provides more detail about our product, our proposals going forward and to formally request for permission to operate our digital taxi tops in the city.

I understand that we will be asked to present our proposal to the Council in the summer and look forward to doing so



Charles Jepson

# **DoohSmart Ltd**

## **Edinburgh taxi top licence application**



### **Company background**

- We took over the Brightmove Media taxi tops in Dec 2017 and rebranded as DoohSmart this year – one of 2 taxi top companies that is operating in London
- Brightmove taxi tops were the first to be allowed to operate under Transport for London license in London. Since 2014, the technology has had an unblemished safety record
- Both company directors – Mark Catterall and Charles Jepson – have extensive experience in the outdoor and advertising market – combined experience of over 45 years
- A taxi top license was also won in Birmingham in Sept 2018, which is now operated by Elonex, using the same Brightmove taxi top technology
- We now want to expand in Scotland, Edinburgh being our preferred city



## Technical - Safety

- The Brightmove taxi tops were developed 6 years ago and have been in operation in London for 5 years – the first digital tops globally. In that period, no accidents have ever been recorded for Brightmove or any other taxi top operator in the UK
- Brightmove screens also operate in the US and are piloting in the Middle East
- To gain a TfL licence, a number of approvals had to be passed:
  - European Standards Commission – E Mark to cover screen emissions and full electrical standards
  - Vehicle Certification Agency (VCA):
    - Comply with Road Vehicles (Construction & Use) Regulations 1986
    - Comply with Road Vehicles Lighting Regulations 1989
    - Sled test to comply with crash safety regulations
    - ISO 9001 certification to pass conformity of production and quality control & installation of taxi tops
    - Electrical architecture to meet or exceed EC approval M1/IVA standards
    - IP65C Category 1 Certification – protection from the elements
    - Transport Research Laboratory – independent safety & distraction study



## Technical - Safety

- In similar fashion to the UK through the VCA, FCC approval was granted to the Brightmove taxi tops in the US
- The brightness of the screens adhere to all roadside advertising regulations. There are 2 sensors – one for each screen, to automate the brightness dependent on weather/light



## Technical – Performance

- The taxi tops have been developed to have minimum impact on vehicle performance – the use of LED technology has allowed us to have the smallest and lowest weight tops
- There is 'minimal impact' on fuel usage
- There is 'minimal impact' on emissions

(Our definition of 'minimal impact' is little or no effect)



## Technical - Innovation

Hardware and software development have been undertaken in the UK and are market leading products

We have a number of unique capabilities that can change the way that messages are posted:

- Automated triggers: weather, pollen, pollution, bespoke
- Self serve/real time posting – very helpful for small businesses
- Geo targeting



## Benefits – Local businesses

Allows small local businesses to advertise with much lower budgets vs. other local media. Not just for large national businesses

Allows local businesses to advertise only in their local area

Through a self serve capability, allows local businesses to advertise in real time and with complete flexibility – days/time of day: ideal for times such as the Fringe Festival



## Benefits – Edinburgh Council

A new, effective and speedy means of making Edinburgh residents aware of events, news & public information

Taxi tops can become part of the fabric of Edinburgh and help innovate the way public messaging is delivered:

- **Promote public events in the city**
- **Deliver vital public information: emergencies, weather, travel – real time capabilities**
- **Council promoting new technology into the city**



## Benefits – Taxi drivers

Taxi tops will create a new buzz about taxis and add to the general promotion of taxi services

Taxi tops will create new revenue streams for drivers - under pressure from Uber

**DoohSmart will adopt the same model as London – revenue share:**

- **Drivers share in the success of the business**
- **Drivers feel part of the business**



## Potential drawbacks

- As most activity is shorter bursts of activity and we run multiple adverts in a loop, there will be many more pieces of copy to check
- **Our solution: We adhere to all the rules & regulations of the local Council and ASA. If there is a 'grey' area, we will not run the advertising. To date we have not needed to ask TfL for copy clearance and there have been no issues. Only political messages are needed to be checked**
- Multiple advertising messages (livery/taxi tops)
- **Our solution: Our livery/taxi top option can only be used by one brand. Has brought in new revenue streams - almost entirely brought digital budgets (Facebook & Google)**



## Summary

- A new and innovative media for Edinburgh
- Delivered by experienced professionals and leaders in the advertising & technology markets
- Helping local businesses attract new customers
- Benefits all stakeholders – local businesses (large and small), taxi drivers, Edinburgh Council as well as Edinburgh residents and visitors
- Much more than another advertising channel – provides vital public information to the local community
- Making a positive impact on the Edinburgh economy



## Appendix 2 – Letter from Transport for London dated 4<sup>th</sup> July 2019

Charles Jepson,

Commercial Dir & Co-Founder  
99 Clifton St,  
EC2A 4LG,  
London,  
UK

4 July 2019

Transport for London  
London Taxi and Private Hire

230 Blackfriars Road  
London  
SE1 8NW

Phone 034 3222 4444  
[www.tfl.gov.uk](http://www.tfl.gov.uk)

Dear Charles,

Happy for you to share this statement.

To whom it may concern.

Charles Jepson, commercial director of DoohSmart, is authorised by Transport for London (TfL) to install and operate taxi top digital advertising units on London licensed taxis.

Charles and his team have been working with TfL and the London taxi trade for a number of years to deliver this service and they have consistently demonstrated, and continue to provide, a very high level of professional and technical support to the taxi trade.

Yours sincerely

Alexander Moffat  
Vehicle Policy Manager  
Transport for London - Taxi and Private Hire  
230 Blackfriars Road, London, SE1 8NW  
Tel: 020 3054 2924  
Mobile: 07889095675  
[alexander.moffat@tfl.gov.uk](mailto:alexander.moffat@tfl.gov.uk)

**MAYOR OF LONDON**



VAT number 756 2769 90



## Appendix 4 – Police Report

26 June 2019

Your Ref:

Our Ref:

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



Sean Scott  
Chief Superintendent  
Divisional Commander  
City of Edinburgh Division

Taxi Examination Centre  
33 Murrayburn Road  
EDINBURGH  
EH14 2TF

Dear Sir/Madam

**DOOHSMAST LTD**

I refer to the recent application by the above named company in relation to the introduction of a Taxi Top application.

Police Scotland have no objection to this proposal.

Yours faithfully

[Redacted signature]

Sean Scott  
Chief Superintendent

[Redacted signature]