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AGENDA

Committee	PUBLIC PROTECTION COMMITTEE
Date and Time of Meeting	WEDNESDAY, 25 OCTOBER 2023, 10.00 AM
Venue	CR 4, COUNTY HALL - MULTI LOCATION MEETING
Membership	Councillor Michael (Chair) Councillors Kaaba, Bridgeman, Driscoll, Ferguson-Thorne, Gunter, Jenkins, Lancaster, Palmer, Sattar and Shimmin

Members are advised that a branded private hire vehicle will be in the County Hall car park for inspection before or during the meeting.

1 Apologies for Absence

To receive apologies for absence.

2 Declarations of Interest

To be made at the commencement of the agenda item in question, in accordance with the Members' Code of Conduct.

3 Minutes (Pages 3 - 14)

To approve as a correct record the minutes of the previous meeting.

4 Application to Permit the use of Corporate Branding on Private Hire Vehicles on Vehicles Owned by Veezu (Pages 15 - 24)

5 Urgent Items (if any)

Davina Fiore
Director Governance & Legal Services

Date: Thursday, 19 October 2023

Contact: Graham Porter,
02920 873401, g.porter@cardiff.gov.uk

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PUBLIC PROTECTION COMMITTEE

20 SEPTEMBER 2023

Present: Councillor Michael(Chairperson)
Councillors Kaaba, Bridgeman, Driscoll, Ferguson-Thorne,
Gunter, Jenkins, Lancaster, Palmer, Sattar and Shimmin

1 : APOLOGIES FOR ABSENCE

No apologies for absence

2 : DECLARATIONS OF INTEREST

Councillor Sattar declared a personal interest in Item 4 as a former member of the Unite trade union.

3 : MINUTES

The minutes of the meeting held on 7 December 2022 were approved by the Committee as a correct record and were signed by the Chairperson.

4 : UPDATE ON THE CONSULTATION IN RESPECT OF THE MORATORIUM ON HACKNEY CARRIAGE (TAXI) LICENCES.

The Committee received a report on the consultation exercise undertaken in respect of the moratorium on Hackney Carriage Licences.

The Chairperson requested Dan Cook, Licensing Manager to present the report.

Members were advised that under the Town Police Clauses Act 1847 and the Transport Act 1985 a local authority may impose a moratorium on the issuing of new hackney carriage vehicle licences if there is no unmet demand for services. A moratorium has been in place in Cardiff since 2010 and, as a result anybody wishing to enter the trade will need to either purchase or rent a vehicle licence that was originally issued prior to 2010. The position was last reviewed in 2019, when it was resolved to continue with the current moratorium.

The Licensing Department has received complaints from passengers unable to hire hackney carriages in Cardiff. Regular complaints are also received regarding the standard and condition of Cardiff hackney carriages. Furthermore, the number of hackney carriage vehicle licences not being actively used has also increased in recent years.

In December 2022 the Committee authorised officers to undertake a consultation exercise seeking the views of the trade and the public on the removal of the moratorium. The report provided Members with an update on the consultation exercise. Members were asked to consider retaining, relaxing or removing the moratorium.

The consultation exercise took place between 10 February and 4 April 2023. A total of 952 responses to the survey were received – 700 were from the public and 252 were trade responses.

The report provided details of the responses received to each of the questions in the survey. Members were advised that any reference to ‘taxi’ in the report specifically related to hackney carriages which are vehicles that can be hailed from the roadside or operate from designated taxi ranks.

The Licensing Manager provided an overview of the survey responses:

74% of the respondents were members of the public, businesses or organisation that used taxis in Cardiff, and 26% of respondents worked in or were connected to the taxi trade in Cardiff. 90% of the public respondents were Cardiff residents, 28 respondents (or 4%) identified as having a disability that required the use of a wheelchair accessible taxi.

of the 252 trade respondents, 66% indicated that they drive a taxi that they own, 15% drive a private hire vehicle they own, 12% drive a taxi that they rent, 3% were private hire operators, and 2% drive a private hire vehicle that they rent. In relation to the public experience of getting a taxi in Cardiff, 57% had experienced difficulty getting a taxi in Cardiff in the previous 12 months, and for those that use taxis weekly or monthly that increased to 67%.

Of those that indicated that they also had a disability that required a wheelchair accessible taxi this increased to 89% that had experienced difficulty in the in the previous 12 months.

Most of the difficulty that was experienced was on the evenings and weekends and also during major event days in the city centre. The only group of respondents who were more likely than not to not have experienced difficulty in the last 12 months were those that use taxis daily.

Of the public respondents that had experienced difficulty, 37% were required to walk to their destination as a result.

As and as many of the respondents indicated that they generally get taxis between six 6:00pm and 6:00am, this could have safeguarding implications for vulnerable individuals trying to walk home at the end of the night.

Of those respondents who identified as requiring the use of a wheelchair accessible taxi, 28% have experienced difficulty which required them to walk to their destination. Comments from wheelchair users included “I was stranded at the hospital for five hours waiting” and “the difficulties in getting a disabled taxi have meant that I have had several accidents trying to get home via foot or with a friend relative whose car is not adapted for the purpose, purpose of a wheelchair.”

In relation to the condition of taxis, 46% of public respondents were not satisfied with the condition of taxes and this increased to 55% or 51% for weekly or monthly users. Only daily taxi users were generally satisfied with the condition of taxis being (65%). The majority of the public comments received in relation to the condition of taxis in

Cardiff were related to them being of a poor standard. The Licensing Manager referred Members to the appendices in the report which included comments received from the public to the survey.

The Licensing Manager indicated that the comments coincided with the data held by the Licensing Department that showed the average age of a taxi is 9.7 years old and that increases to 10.3 years old for wheelchair accessible taxis and over the last few years the average age of Cardiff taxis had increased.

In relation to the moratorium on issuing new taxi licences, the public were more likely than not to be in favour of removing the moratorium, with 39% saying that they that it should be removed, 31% did not and 30% were unsure. The Licensing Manager acknowledged that this may be a difficult question for the public to answer as they will not be aware of the issues surrounding a moratorium, but officers felt it was still important to ask to gauge public opinion.

The trade respondents were significantly in favour of retaining the moratorium, with 83% wanted to retain it and 13% wanted to remove it.

Both the public and trade showed a preference for a mixture of vehicle types and emission standards being licensed. There are no fully electric wheelchair taxis on the market.

In relation to general comments on taxes in general and potential support for the trade, the public responses related to the location of taxi ranks having additional space, better training for drivers and ensuring that drivers are vetted correctly. The Licensing Manager explained that rank space and was not directly controlled by this committee and the Licensing Department worked with Highways on this issue.

The trade response related to a lack of rank space and vehicles working in Cardiff from other licencing authorities, which is known as cross-border hire. It was explained that cross-border hire is an issue that affects many councils across the UK, particularly in urban areas and is not something that the council can control. It is something that Welsh Government are looking at.

In response to the survey, Unite the Union, representing the hackney carriage trade in Cardiff, submitted a formal letter for members to consider, including a number of a photographs of taxis queuing. The letter was appended to the report. The Licensing Manager stated that he would not detail the specific points raised in the letter from Unite as part of his presentation. This was because the letter was contained in the report, including the officer's response, and Unite were present at the meeting and were due to provide a representation.

Officers considered the concerns raised that the removal of the moratorium would cause their to be a significant influx of new hackney carriage applicants but did not feel this would be an issue considering that anecdotally they were aware that the value of the hackney carriage licences had fallen significantly on the secondary market in recent times. They also considered there may be positives for the trade as

it would allow drivers who currently rent a taxi the ability to purchase their own vehicle to license which they would have control over its upkeep.

There were also implications for grant funding to improve taxi fleet emissions if public money is to be distributed to licence holders rather than those who rent a vehicle from a licence holder.

Very few authorities in the UK have a moratorium. Whilst the data is not widely available, officers understood that out of the 300 plus licensing authorities in the UK, few have moratoriums on hackney carriage licences and no other authorities in Wales that have one.

In order to maintain a moratorium on new licences the Department for Transport best practice recommends that an independent survey be undertaken to assess the currently levels of demand for taxis in the city. In 2019 AECOM were commissioned by Cardiff Council to undertake an independent survey. The survey recommended that there was no significant unmet demand and as a result the moratorium was maintained.

Members were asked to note that it is not considered best practice to impose a moratorium by either the Competition and Markets Authority or the Department for Transport.

Members were advised that of the 946 hackney carriage licences in Cardiff only 707 were actively being used on vehicles. The remaining 239 are being held on retention (on-hold), accounting approximately 25% of the total. Licences must be renewed prior to their expiry. Case law established that a licence can be renewed up to 3 days after expiry in exceptional circumstances. In order to renew a licence the licence holder must submit a new valid MOT certificate and therefore, when a vehicle has been damaged near the date of expiry it may not be possible to renew the licence until the vehicle has been repaired. Where no moratorium exists licence holders can simply apply for a new licence. However, in Cardiff due to the moratorium, this is not possible and for this reason the 'on-hold' process was introduced. No other Licensing Authority offers such a service. Officers felt that the 'on-hold' process was intended to assist proprietors with damaged vehicles, but it has evolved so that it is frequently used for requests outside of the intended use and it is no longer being used for the intended purpose. Many licence holders use it to maintain their assets whilst not actively being used. Furthermore, proprietors were further circumventing the 12-month on hold process by transferring the plate on hold to another vehicle that was previously licenced, extending the process by another 12-months.

Officers considered that the current policy of allowing licences to be placed on on-hold, whilst maintaining a moratorium prohibiting others from obtaining a hackney carriage licence is unfair. Therefore, the on-hold process should be removed, and licence holders should be required to keep their licence active for it to be retained. In circumstances where a vehicle is damaged and there are exceptional circumstances why the licence could not be renewed in time, these should be considered in accordance with case law (*Exeter City Council v Sandle* [2011]).

In terms of the climate emergency and air quality, the Council's One Planet Climate Change Strategy and the National Transport Delivery Plan have both committed to working with the taxi trade to achieve net zero emissions by 2027 and 2028 respectively. Currently there is only 1 fully electric taxi in Cardiff and there is a requirement for a transition away from traditional combustion engines. The moratorium was considered to act as a barrier as it restricts new entrants into the trade who wish to offer an EV service.

Furthermore, the Welsh Government and the Capital City Region operate supported electric taxi leasing schemes, whereby drivers can lease EV taxis at financially supported rates. Due to the moratorium only those who already hold a taxi licence, or rent a vehicle, can use the leasing scheme. This has led to very low take up compared to other areas. If the moratorium were removed then any hackney carriage driver would be able to take advantage of this scheme or similar initiatives.

The survey responses also showed dissatisfaction with the condition of taxis in Cardiff amongst members of the public. Cardiff Council's testing policy permits any Cardiff MOT testing station to undertake the declaration of fitness test. MOT testing is regulated by the DVSA but the Council has no powers if there are concerns about the standard of the taxi fitness testing being carried out at an MOT testing station. Most authorities require testing to be undertaken by either in-house testing facilities or by a list of approved garages within their area. Officers considered that it would be beneficial for further research to be carried out to consider ways to improve testing provision in Cardiff with a view to returning to the committee with a subsequent report.

A full Equality Impact Assessment was carried out and is appended in the report. This was drafted in conjunction with and had the approval of Cardiff Council's Equality Team.

The Chairperson welcomed Richard Jackson and Sanwar Ahmed of the Unite trade union representing members of the taxi trade to the meeting. The representatives were invited to address the Committee.

Richard Jackson stated that Unite members in the taxi trade have concerns regarding the respondents ability to recognise the difference between private hire vehicles and hackney carriages. It was accepted that whilst this point was addressed within the report, there were some specific comments in the responses to the survey which may indicate that there was some confusion between the difference between a private hire vehicle and a hackney carriage. There was also a concern that anyone completing the survey was able to provide multiple responses and the survey's integrity therefore may be compromised.

Richard Jackson proceeded to highlight a number of concerns centred around the survey responses and the report. It was considered that the survey responses were collated together, and it would have been beneficial to have deciphered the responses to gain a better understanding of the responses from the different sectors who had replied – for instance those who rent vehicles, operators, members of the public.

Similarly, in respect of paragraph 2.2 the question asked how often they get a taxi from a rank or flagged one down in the street. Richard Jackson considered that it would have been beneficial to have asked two separate questions, as it was the view of the trade that there isn't enough rank space in the city centre. This view was also supported in a letter received from South Wales Police that was circulate to Members of the Committee.

Referencing para 3.3, Richard Jackson recognised that there were difficulties hiring a taxi on event days and during the evening or night in the city centre. However, this was no different to any other city and taxi drivers need to make a living throughout the working week also. Members were invited to visit the ranks in the city centre during the busy period to experience the position for themselves. Para 3.4 highlighted that those customers who use taxis daily experience the least problems.

In respect of the conditions of taxis, questions were raised regarding the integrity of the survey as the Committee were being asked to lift the cap on the number of hackney carriage licences. The condition of taxi vehicles was therefore not relevant to the report, however it was accepted that there are issues in this regarding and Unite members are willing to work with officers to address them.

It was considered that 39% of public respondents in favour of removing the moratorium was not majority support and the 30% of respondents that were unsure provided an indication that members of the public did not fully understand the question. However, the overwhelming majority of the trade responses favoured maintaining the moratorium.

Members were advised that trade representatives were actively involved in discussions with officers from the Highways Department regarding the lack of rank space in the City Centre. However, progress to date had been disappointing. Removal of the moratorium may increase the number of vehicles operating but the rank space provision is insufficient for the current number of vehicles operating. Concerns were also expressed regarding the lack of infrastructure in place to support new EV taxi vehicles.

Reference was also made to 'cross-border hire' – i.e. vehicles that are licenced by other authorities operating within the city. Those vehicles primarily operate using app based platforms, but they have impacted on the taxi trade. Richard Jackson stated that whilst the Council does not currently have any powers to prevent cross border hire, there was likely to be an impact on the Council's net zero ambitions.

In respect of the Licensing Authority's response to the written representations made by Unite, Richard Jackson considered that the moratorium was in place as there was no unmet demand in the city. The trade has suffered from a decrease in footfall and app-based platforms which have damaged the earning potential in the trade. Further concerns were expressed that no assessment of the potential numbers of new licences likely to be issued should the cap be lifted. This was also likely to have an impact on the existing trade.

Richard Jackson suggested that the authority has 'lost control' of the private hire trade in the city due to the large number of cross border vehicles operating in Cardiff, which were said to outnumber vehicles licenced in Cardiff.

The suggestion that there was a secondary market trading in hackney carriage plates was challenged. Members were advised that the market has virtually collapsed as drivers are no longer able to make an adequate living. Adding new vehicles in competition to the existing fleet will only make it more difficult for those drivers to renew their vehicles. The focus, therefore, should be on supporting existing drivers.

Richard Jackson requested that an independent survey be undertaken to assess the level of unmet demand in the city. It was recommended that the survey be undertaken before any decision on the removal of the cap is made. Members were asked to note that Unite would be willing to work with officers to improve standards in general including the 'on-hold' licences issue identified in the report. However, this, and the taxi vehicle condition and testing requirements, were policy issues should not form part of any decision in relation to the removal of the moratorium.

Concerns were raised around the achievability of zero emissions targets by 2028 given that there are no fully electric wheel-chair accessible vehicles available for purchase currently, and the only ULEZ vehicle available costs in excess of £65,000. Traditionally members in the trade look to purchase vehicles that are 3 or 4 years old due to affordability and those vehicles are not yet on the market. It was shortsighted to suggest, therefore, that the moratorium was a barrier to the migration to low emission vehicles. The barriers are lack of available vehicles and cost, and diluting the market by removing the cap is likely to exacerbate the problem. Further, referring to the lack of take up on the EV leasing scheme, Richard Jackson considered that the vehicles offered on the scheme were not fit for purpose. Additionally, lack of infrastructure and uncertainty around how long the scheme would be financial supported add to the low level of participation.

Richard Jackson considered that the statement that 75% of taxis do not meet Euro 6 emissions standards in para 9.3 was misleading as a significant number of Euro 4 and Euro 5 vehicles are ULEZ compliant. There are also other options such as upgrading Euro 5 engines to become Euro 6 compliant.

Finally concerns were raised around the Equality Impact Assessment undertaken as it seemed to focus on the impact of the proposed changes on members of the public, rather than the impact of those operating in the taxi trade. Richard Jackson stated that it must be recognised that the majority of drivers in the city are from BAME communities, and they have entered the trade due to difficulties entering the directly employed sector. Lifting the moratorium was likely to dilute trade and affect their ability to provide for their families.

Sanwar Ahmed, Secretary of Cardiff Unite Taxi Branch, addressed the Committee. Sanwar Ahmed considered that the results of the survey and the comments received from members of the public and the trade were as a result of poor enforcement on behalf of Shared Regulatory Services (SRS) due to lack of resource and planned proactive operations.

The Unite Taxi Branch regularly consults with SRS regarding complaints around refusal of fare and overcharging. The reduction in the number of complaints received proved the success of working in collaboration.

Cardiff Unite Taxi Branch were concerned that the report is fundamentally flawed in several areas and the removal of the cap would be unjust. Sanwar Ahmed also considered that SRS were responsible for upholding legislation and taxi licence conditions and that complaints from members of the public had been allowed to mount up in order to compile evidence to justify the removal of the cap.

Members were asked to note the concerns of the trade in relation to whether members of the public were aware of the difference between hackney carriage and private hire vehicles. The report stated that 700 responses were received from members of the public. However, no safeguards were in place to ensure that individuals could not complete the survey more than once.

Cardiff Unite Taxi Branch considered that as the majority of comments received in the survey related to enforcement issues, they should not form part of the Committee's consideration in relation to removing the moratorium.

Referring para 1.4, Sanwar Ahmed stated that there was insufficient evidence provided to understand why members of the public were unable to get a taxi. If fares were refused then the Committee would need to understand why there was a refusal. In para 2.3 a total of 399 people stated that they have experience difficulties getting a taxi against 301 who said that they didn't. Cardiff Unite Taxi Branch considered that this was not an overwhelming majority and as it was a fine margin then it justifies referring the matter to AECOM to conduct an independent unmet demand survey.

Of 91 comments received, only 4 related to there being no taxis available; 51 complaints related to overcharging or refusing short fares; 5 were bookings made through an operator; 10 related to wheelchair access vehicles. Sanwar Ahmed alleged that private hire vehicles will willingly and illegally allow themselves to be flagged down and take passengers to their destination.

Concerns about the lack of awareness between the difference between hackney carriage and private hire vehicles were reiterated.

Sanwar Ahmed advised that the moratorium had been introduced in 2010 following concerns raised by South Wales Police in relation to health and safety matters from taxis parking in bus lanes, parking double-yellow lines and causing congestion.

To close, Sanwar Ahmed stated that Cardiff Unite Hackney Branch have several concerns about the SRS report. It was contested that the current problems were as a result of enforcement issues. The data in the report cannot be proven to be accurate as duplicate entries were possible. Sanwar Ahmed repeated a request for the AECOM survey to be undertaken.

Cardiff Unite Taxi Branch also considered that the trade is not ready to transition to electric vehicles because suitable vehicles are not available and the infrastructure to support such a move was not in place.

The Chairperson reminded all present that an independent unmet demand survey is only required where there is a proposal to maintain the moratorium on the granting of new licences.

Dan Cook, Licensing Manager, responded to a number of the points raised. Members were advised that officers were aware that members of the public may not fully understand the difference between hackney carriage and private hire vehicles and this had been factor into the survey. The survey questions set out in Appendix A of the report starts with the following statement:

“Whilst the term 'taxi' is used widely by the public to refer to the hiring of a vehicle licensed to transport passengers in return for payment, this Survey relates only to those vehicles known as Hackney Carriages. In Cardiff these vehicles are usually black with a white bonnet and have a roof light. They generally work from taxi ranks or can be hailed in the street, unlike other licensed vehicles that must be booked over the phone or through a smartphone app (although Hackney Carriages are also permitted to work for an operator).”

The questions in the survey were specifically in relation to getting taxis from a rank or flagging one down in the street making a distinction from a private hire booking through an operator.

It was accepted that additional responses were possible, but there was no indication in the responses received from members of the public indicated a pattern of concern or that the responses received were from the same person.

Private hire operator responses were included in the trade responses as officers considered operators form part of the taxi trade in Cardiff.

In respect of the letter received from South Wales Police presented by Richard Jackson – Dan Cook advised that he has contacted the Chief Inspector of Neighbourhood Policing, South Wales Police and asked for further comments. Those comments were tabled for Members consideration at the meeting.

Responding to points raised, Dan Cook stressed that the lifting of the moratorium is not solely related to unmet demand and an independent survey is not required. The issue of insufficient rank space was outside of the remit of the Public Protection Committee. However, approximately 25% of hackney carriage licences are not currently being used.

The suggestion that the moratorium was originally requested following concerns raised by South Wales Police was incorrect. The request was made by Mr Mathab Khan of the Cardiff Hackney Carriage Association.

Cross border hire was not relevant to this report and Welsh Government are proposing changes to restrict this. The use of app based platforms have increased greatly and this has increase competition for the hackney trade.

Officers did not anticipate a large number of new licence applications should the moratorium be removed.

Members were reminded that the Welsh Government and Cardiff Council goals to have fully electric taxi fleets by 2028 remained. Members were advised that officers

have investigated the upgrading of Euro 5 vehicles to Euro 6 standards but this was considered to be unworkable for older diesel vehicles.

Dan Cook stated that the Licensing Authority has received complaints from people who were unable to get a taxi and have needed to walk home. It was considered that removing the moratorium would assist in improving that position. The survey results show that over half the respondents to the survey have had difficulty getting a taxi in Cardiff and the issue need to be addressed.

The Chairperson invited comments or questions on the report. Those discussions are summarised as follows:

- Members highlighted concerns regarding the lack charging infrastructure for fully electric vehicles. Members asked whether it would be possible to provide charging facilities at taxi ranks and limit their use to vehicles licenced in Cardiff only. Members were advised that the proposals only apply to new licences and there is no requirement for the existing fleet to convert to electric vehicles. Applicants would therefore only apply for a new licence if they were confident that they could operate a fully electric vehicle. The Chairperson stated that charging infrastructure was the responsibility of the Transportation Directorate and falls outside the remit of the Committee. Discussion between the Chairperson and the Cabinet Member for Climate Change to provide the infrastructure required are ongoing. Lifting the moratorium is an incremental step towards reaching the zero emissions goal.
- Members noted the average age of vehicles in the taxi fleet in Cardiff and considered that lifting the cap may encourage drivers to purchase newer vehicles. Members commented that, from personal experience, the taxi fleet in other cities was much better than Cardiff's fleet. Officers stated that comments received by the Licensing Department would support this view.
- Members asked the approximate cost of converting Euro 5 vehicles to Euro 6 standards. The Chairperson stated that discussions are taking place with Welsh Government in terms of what assistance can be provided to existing drivers, including converting vehicles, but this form of assistance would be limited.
- Members considered that improving the taxi service and helping members of the public get home safely was a priority.
- Members responded to points raised regarding the integrity of the survey undertaken. Members asked whether there was any evidence to suggest that members of the taxi trade had submitted multiple responses. Officers stated that in their view there were responses received from the trade that were potentially from one person. However, this was a relatively small number.

- Members asked whether the Committee could recommend that a scrutiny exercise be undertaken into the issue around rank space. Officers stated that the Licensing Authority share the frustration of the trade in terms of lack of rank space in the city centre. The authority and members of the trade are regularly consulted with by colleagues in Highway. A forum is also held where members can discuss these issues with officers.
- A Member considered that the cost of new electric vehicles would prevent a large influx of new vehicles.
- Members asked what could be done to bring the 25% of vehicle licences currently not being used back into beneficial use.
- A Member raised concerns regarding the Equalities Impact Assessment. Members noted that the EIA sets out to ensure that no group of people with a protected characteristic is unfairly impacted by a decision of the Council. Concerns were expressed that under the category in relation to race no impact was identified or recognised. The majority of licence holders are of non-white origin and therefore the data leading to that conclusion needs to be tested. Where a particular group is negatively impacted, the authority is required to take mitigating actions. Officers stated a number of points were raised under the race category. However, the Equalities Team advised that, although it accepted that there are many people in the trade from BAME communities, as there are no restrictions governing who can be a taxi driver, the points identified should be covered in the socio-economic category. The issues have been addressed in the EIA under the socio-economic category. A Member asked whether the advice and made assumptions by the Equalities Team could be challenged. The Legal Advisor stated that the statutory process has been followed and therefore the Committee can properly arrive at a decision.
- A Member observed that it was difficult to see a clear reason to lift the moratorium. Members have considered and received representations on the data presented in the survey. However, there was more work to be done to address the issues identified in terms of infrastructure, vehicle availability, service demands, enforcement and the impact of new licenced vehicles on the existing rank space and whether removing the moratorium would have any impact on those issues.
- A Member asked whether any proactive action could be taken to address the high number of vehicle licences that were currently 'on hold', such as removal of this licence. The Committee was advised that Cardiff is the only authority in the UK that has an 'on hold' process. Other authorities require licences to be renewed. The removal of the moratorium would mean that licence holders could choose to allow their vehicle licences currently on hold to lapse and apply for a new licence in the future. That would bring the total number of licences down.

- A Member noted that issued identified in the survey regarding the difficulties disabled people have getting taxis at taxi ranks. The issue has also been identified previously by Disability Wales and in Welsh Government reports.
- In response to a point made by Richard Jackson of Unite, a Member stated that if there are 1000 vehicles working in Cardiff that are licenced in other authorities then this would suggest that there is significant unmet demand in the city.

Richard Jackson and Sanwar Ahmed were invited to make closing comments. The Chairperson then invited members to vote on the recommendations in the report.

RESOLVED – That:

- (1) the moratorium on issuing new hackney carriage licences be rescinded;
- (2) Members note the policies for the transition to an ultra-low emissions taxi service by 2028
- (3) new hackney carriage licences should only be issued to fully electric vehicles, or wheelchair accessible vehicles that are under 5 years old and meet the Euro 6 emission standard. This is to support the transition to a zero-emissions taxi service whilst recognising the non-availability of fully electric wheelchair accessible taxis on the market.
- (4) that officers carry out further research around the testing policy and minimum emissions standards for hackney carriages and private hire vehicles licensed in Cardiff, and a subsequent report is presented at a future meeting of this committee;
- (5) the process of putting vehicle licences on-hold be removed. This change is to take effect 6 months after the resolution.

5 : URGENT ITEMS (IF ANY)

No urgent items

The meeting terminated at 12.30 pm

CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda No.

PUBLIC PROTECTION COMMITTEE: 25 October 2023

Report of the Head of Shared Regulatory Services

Application to Permit the use of Corporate Branding on Private Hire Vehicles on Vehicles Owned by Veezu.

1. Background

- 1.1 The Licensing Department have received an application from Veezu to permit them to use corporate branded livery on vehicles that are owned by the Veezu Group.
- 1.2 The current [Private Hire Vehicle Conditions of Licence](#) relating to advertising states:

6. Display of signs and advertisements

No signs or advertisements, except those approved by the Council shall be attached to the inside or outside of the vehicle. The following conditions apply: -

- 2 a) Exterior advertising is permitted on the outside rear door panel provided it does not exceed the dimensions of the panel and is restricted to one advertisement only with no other form of advertising displayed on the exterior of the vehicle.*

- 1.3 As the proposed Veezu livery will cover a larger proportion of the vehicle than the rear door, they seek an exemption from the above condition.
- 1.4 Full details of Veezu's application, including their justification for this request is contained in Appendix A.
- 1.5 A digital impression of the corporate livery intended to be used is contained in Appendix B.
- 1.6 Veezu will present a vehicle to Members on the day of the meeting in order demonstrate their corporate branding. The vehicle presented during the meeting is not currently licensed and the application is not for this specific vehicle, but to provide a representation of the livery.

2. Considerations

- 2.1 At present, private hire vehicles licensed in Cardiff are permitted to have one advertisement on the rear door panel of the vehicle. The advertisement cannot be larger than the size of the rear door panel. This is primarily used to display the private hire operator the vehicle is connected to.
- 2.2 Private hire vehicles in Cardiff must display a yellow plate on the rear of the vehicle, and a yellow square in the vehicle's windscreen, to identify it as a private hire vehicle.
- 2.3 It is not mandatory for private hire vehicles to advertise or display the operator for whom they are connected to, and they may choose not to display an operator.

3. Achievability

- 3.1 This report contains no equality personnel or property implications.

4. Legal Implications

- 4.1 Under Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may impose such conditions upon private hire licences as it may consider reasonably necessary.
- 4.2 Under Section 48 of the same Act, a private hire vehicle cannot be of such a design and appearance as to lead any person to believe that the vehicle is a hackney carriage. Officers do not consider that the proposed livery would result in the public mistaking those vehicles with a hackney carriage.

5. Consultation

- 5.1 The trade consultation procedure was undertaken in accordance with the consultation procedure on any policy matters. The draft reports intended for consideration were made available at the licensing offices for any interested party to provide written submissions.

6. Financial Implications

- 6.1 There are no financial implications arising directly from this report.

7. Recommendation

7. It is recommended that the Committee consider the request by Veezu and determine whether to permit them to use corporate livery on vehicles that are owned by Veezu.

Helen Picton
Head of Shared Regulatory Services

18 July 2023

This report has been prepared in accordance with procedures approved by Corporate Managers.

Appendices

- Appendix A – Veezu’s application for an exemption from the current private hire vehicle conditions of licence.
- Appendix B – Digital impression of the intended corporate livery

Background papers

[Private Hire Vehicle Conditions of Licence](#)

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Mr Daniel Cook
Team Manager,
Licensing Section
City Hall, Cathays Park,
Cardiff.
CF10 3ND

14 July 2023

Dear Mr Cook,

Thank you for directing us to the correct approach to consider an application to approve, under your Private Hire Vehicle Conditions, an exception to the general policy and conditions that deal with the appearance of Private Hire Vehicles.

This application is in respect of Private Hire Vehicles which are owned by the Veezu Group as part of its fleet management only and associated to the Operators trading name, within the Cardiff licensing district. The material appearance will not cause any confusion with the approved appearance of Cardiff licensed Hackney Carriages.

The vehicle to be presented to Members as an example of the wrap appearance is not licensed by Cardiff Council and the application is not in respect of this vehicle.

The attachment to this email is representative of the corporate wrap for interim information.

In respect of your licensing conditions, we would make the following observations. (Members will be advised by your legal officer that as a policy, exceptions can be made to that policy when appropriate and a policy is not totally binding.)

To support the application with reference to the relevant conditions:

6. Display of signs and advertisements

No signs or advertisements, except those approved by the Council shall be attached to the inside or outside of the vehicle. The following conditions apply: -

- 2 a) Exterior advertising is permitted on the outside rear door panel provided it does not exceed the dimensions of the panel and is restricted to one advertisement only with no other form of advertising displayed on the exterior of the vehicle.
- d) All advertisements must conform with the standards of the Advertising Standards Council in all matters relating to good taste, both in content and appearance and must not relate to matters concerning tobacco, alcohol or matters of a sexual nature.

Comment: We understand the necessity for conformity within the licensing context, particularly around Advertising Standards Agency compliance, the image of the Council in respect of some forms of advertisement that do not compliment the status of the capital city, or the necessary controls on appearance to maintain the professional image of the licensed trade and the licensing environment.

However, we do not consider that this design causes conflict with any of those points and is uncontentious.



The wrap does not intrude on the licensing identification plate issued by the Council and always remains clearly visible to the public view.

The wider context:

Prior to undertaking the transition to corporate signage an independent Research Group carried out a market evaluation of the wrap comparable to the general appearance of current licensed vehicles. Participants were recruited from Veezu's passenger base, supplemented with additional external recruits. These additional recruits were taxi passengers in the same area. Across both recruitment pools, we ensured a mix of women-only, and mixed groups, covering a wide range of ages and usage occasions.

Research groups lasted approximately 60 minutes. In each group, participants were shown both the existing and proposed new Veezu look and feel, including the car wrap design. We believe that higher the instant recognition of a pre-booked vehicle is, safeguarding and general standards of personal safety, particularly for women, vulnerable Groups and people with visual impairments, are significantly enhanced.

The car wrap design was overwhelmingly positive. Particularly among women, the distinctiveness of the hot coral was an added layer of reassurance that the taxi was credible, reliable and above all, safe.

Delegated Decisions by licensing officers form part of the day-to-day administrative duties of officers but this is brought before Members on the basis that it is an application outside of the conditions and not for a singular vehicle, but a fleet application, and as such may need the wider overview of Elected Members.

Usually, Councils are alert and sensitive to a wide variety of possible conflicts or concerns vehicle signage could cause to communities, but in this application, we feel there is nothing which raises such concerns or conflicts with the Council's licensing policy or conditions. On the contrary it is felt that the easier recognition of a vehicle which has been booked through a particular operator is a positive move, not only for the public, but Enforcement Officers also.

Drivers trying to enter the licensing market face economic challenges on many fronts and the opportunity for potential drivers to rent new and compliant vehicles from the Group is attractive and growing. Such progression also gives the Council greater assurance that there is stronger oversight of the vehicle's maintenance schedule, in line with the manufacturer's warranty, by the fleet management team of Veezu Business Services.

Driver Partners are further attracted to the newer, environmentally cleaner vehicles displaying the wrap because of other discounts available to them in their association with Veezu. On a final point, the brand image of the wrap will be clearly associated with the decision of the Veezu Group to move away from all petrol or diesel cars to an entirely environmental approach on its fleet management.

We would be grateful if suitable arrangements could be made with the Licensing Committee for this application to be formally considered.



Thank you for accommodating this request and your advice.

Kind regards, Desmond.

Desmond Broster
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