

# Swindon Borough Council

## Private Hire and Hackney Carriage Licensing Sub-Committee

Friday, 28 July 2006

Committee Room 2, Civic Offices, Swindon (Anticipated meeting room)

**At 12.30 p.m.**

**Conservative  
Councillors**

Sinead Darker  
Melanie Duff  
Brian Ford  
Peter Mallinson  
David Sammels  
Philip Young

**Labour  
Councillors**

David Glaholm

**Liberal Democrat  
Councillors**

(none)

**Independent  
Councillors**

(none)

**Committee Officer:** Shaun Banks (Telephone 01793 463606)

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## **AGENDA**

### **PART 1 (PUBLIC ITEMS)**

- 1. Appointment of Chair**
- 2. Appointment of Vice-Chair**
- 3. Apologies for Absence**
- 4. Declarations of Interest**

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

- 5. Minutes (Pages 1 - 2)**

To receive the minutes of the meeting held on 10th March 2006.

- 6. Exempt Items - Exclusion of Press and Public**

*Certain items are expected to include the consideration of exempt information and the Standards Committee is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that it involves the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".*

<u>Item No.</u>	<u>Paragraph No.</u>
9	4

7. **Installation of Cabtivate Systems in Hackney Carriages** (GDEL) (Pages 3 - 14)
8. **Private Hire Door Signs** (Pages 15 - 16)

## **PART 2 (TO BE CONSIDERED WITHOUT THE PRESS AND PUBLIC PRESENT)**

9. **Application for Private Hire Driver's Licence** (GDEL) (Pages 17 - 58)

**Date of Despatch:** 21 July 2006

**Public Question Time** - Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Committee (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Democratic Services is desirable - particularly if detailed background information is needed.

**Access Arrangements** – The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

**PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING SUB-COMMITTEE**

**FRIDAY, 10 MARCH 2006**

PRESENT:- Councillor Maurice Fanning, Councillor David Glaholm, Councillor Colin Lovell and Councillor David Wren.

Apologies for absence were received from Councillor Michael Dickinson and Councillor Brian Ford.

**8. Minutes**

Resolved – That the minutes of the meeting held on 4<sup>th</sup> October, 2004, be confirmed and signed.

**9. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**10. Exempt Items - Exclusion of Press and Public**

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 4 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 12 refers.)

**11. Public Question Time**

No public questions were received during the meeting.

**12. Hackney Carriage and Private Hire Knowledge Tests**

The Sub-Committee considered a report tabled at the meeting setting out proposed amendments to the amount of time applicants for Hackney Carriage and Private Hire driver's licences must wait to sit a further knowledge test after a failure.

Resolved – That the length of time applicants for Hackney Carriage and Private Hire driver's licences must wait to sit a further knowledge test after a failure be reduced as set out in the report.

**13. Application for Private Hire Drivers Licence**

The Sub-Committee considered (a) a report of the Director of Environment and Leisure setting out an application for a Private Hire drivers licence that officers were unable to determine under delegated powers, and (b) comments by the applicant in support of his appeal.

Resolved – That, given the exceptional circumstance set out in the appeal,

and given the period of time the applicant has currently been without a Private Hire drivers licence, the appeal be upheld and the driver named in the report be granted a Private Hire drivers licence.

## Installation of “Cabtivate” in licensed Hackney Carriages

**Private Hire and Hackney Carriage Licensing Sub-Committee**    **Date: 28 July 2006**

**Author:**        **Group Director, Environment and Leisure**

**Wards Affected:**    **All**

### **Purpose**

- To consider approval for the installation of a “Cabtivate” advertising and news system into licensed Hackney Carriages.

### **Recommendation**

The Sub-Committee Committee is asked to : -

- Approve the installation of “Cabtivate” systems into licensed Hackney Carriages

### **1. Reasons**

- 1.1 This Sub-Committee has a duty to consider issues relating to Private Hire and Hackney Carriage Licensing on behalf of the Licensing Committee.

### **2. Detail**

- 2.1 Permission has been sought by Cabtivate Media Ltd to install flat screen wireless TV in hackney carriages. The screens and equipment are located within the driver compartment behind the driver’s head. The TV screens are viewed by passengers through the plastic bulkhead and play moving images for advertising. They also play ‘content’, which consists of weather and news reports and local and public information.
- 2.2 The systems are automatic and commence once the vehicle ignition is turned on. The driver has no influence as to the content of the material being viewed. Images are displayed installed and updated remotely by the company supplying the system, using wireless mobile phone technology. The systems are generally updated monthly, although it could be more frequently.
- 2.3 The Cabtivate System cannot be switched off by the driver, although he can pause the system allowing him to communicate with the passenger as and when required. Passengers can, however, switch both the sound and visual off. Cabtivate feels this requirement is necessary since some passengers can be affected by flickering screen images which can induce fits. If a passenger has elected to switch off any system then this will remain off for the remainder of the journey. Research by Cabtivate indicates that removing passenger choices creates points of conflict with the drivers and therefore passengers must have control as outlined above.

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Further information on the subject of this report can be obtained from Lionel Starling on 01793 466109 or e-mail [rcollett@swindon.gov.uk](mailto:rcollett@swindon.gov.uk).

## **Installation of “Cabtivate” in licensed Hackney Carriages**

### **Private Hire and Hackney Carriage Licensing Sub-Committee Date: 28 July 2006**

The controls are situated near the passenger seats such that a passenger does not need to leave the seat to operate them.

- 2.4 The images are played on a continuous loop, the length of which can be set by the company according to the average journey time. Typically the loop would be between 6 and 20 minutes.
- 2.5 Hackney Carriage vehicle owners receive an income for advertising they permit within their vehicle.
- 2.6 All advertisements displayed would conform to the British Code of Advertising, Sales Promotion and Direct Marketing ('the Code').
- 2.7 The Cabtivate system has a website to which the Council would have remote access.
- 2.8 The proportion of 'content', i.e. news, weather, short films, or digital TV channels, is understood to be around 25%.
- 2.9 Cabtivate have supplied data from research carried out into passenger views ("The Key Facts", *Cabtivate 2004*) and this states:
  - 2.9.1 92% of passengers watched the screen for the whole or most of their journey
  - 2.9.2 74% of passengers find the inclusion of the screen showing advertising an enjoyable addition to the taxi journey
  - 2.9.3 79% of passengers disagreed or disagreed strongly that the inclusion of a screen showing advertising was an irritating addition to the journey
  - 2.9.4 Only 8% found the system irritating, of that 8% only 1% turned the system off.
  - 2.9.5 The addition of equipment into a vehicle must not interfere with other systems provided for the safety or comfort of occupants. The system installations will be approved by the vehicle manufacturers. Confirmation will be obtained from the vehicle manufacturer that the system will not interfere with the vehicle systems, components or integrity.
  - 2.9.6 All equipment will comply with any legislative requirements in respect of Construction and Use Regulations.
  - 2.9.7 All equipment will be designed, constructed and installed in such a way and in such material as to present no danger to passengers or driver, including from impact with the equipment in the event of an accident or damage from the electrical integrity being breached through vandalism, misuse or wear and tear.
  - 2.9.8 The equipment will not interfere with any other safety, control, electrical, computer, navigation, satellite or radio system in the vehicle
  - 2.9.9 The intensity of the screen will not be such as to be visually intrusive or dazzling.

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Further information on the subject of this report can be obtained from Lionel Starling on 01793 466109 or e-mail [rcollett@swindon.gov.uk](mailto:rcollett@swindon.gov.uk).

## **Installation of “Cabtivate” in licensed Hackney Carriages**

**Private Hire and Hackney Carriage Licensing Sub-Committee Date: 28 July 2006**

2.9.10 The position of the screen will not obstruct the passenger’s view of the meter and the visibility of the screen to following vehicles will be minimal. The Cabtivate screen intensity reduces as the ambient light diminishes.

2.9.11 The screen will be no larger than 15”.

2.9.12 All equipment will be installed in the driver’s compartment and will not be visible from the driver position.

### **Alternative Options**

- To maintain existing Licensing Policy and not permit the use of the Cabivate system.

#### **Risk Management**

##### *Financial and Procurement Implications*

There are no direct financial implications arising from this report, although there may be financial implications for Hackney Carriage proprietors if the installations described in this report are not approved. There are no procurement issues arising from this report.

##### *Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)*

A Healthy and Caring Place; An Economically Prosperous Place; An Environmentally Friendly Place; A Safe Place.

### **Consultees**

The Director of Finance (s.151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) are consulted on all reports.

Mr D Coates, Group Leader, Passenger Transport

Councillor D Glaholm, Shadow Lead Member, Environment and Leisure

Councillor S Pajak, Shadow Lead Member, Environment and Leisure

Councillor C Lovell, Chair of Hackney Carriage and Private Hire Licensing Sub-Committee

### **Background Papers and Appendices**

- Appendix ‘A’: Letter received (by e-mail) from Cabtivate Ltd.

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Further information on the subject of this report can be obtained from Lionel Starling on 01793 466109 or e-mail [rcollett@swindon.gov.uk](mailto:rcollett@swindon.gov.uk).

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**APPLICATION TO SWINDON BOROUGH COUNCIL FOR APPROVAL OF THE CABTIVATE SYSTEM**

The directors of Cabtivate have worked in the Scottish Taxi Trade for around eighty years collectively. Throughout this time they have developed a great deal of knowledge and understanding of taxi licensing conditions, initially as they appertain to the Civic Government (Scotland) Act and now, latterly, on a UK level as the Cabtivate system gains approval nationally.

Currently, the Cabtivate system has approval from the following local authorities;

City of Edinburgh Council  
Glasgow City Council  
Dundee City Council  
West Dunbartonshire Council  
Birmingham City Council  
Bristol City Council  
Manchester City Council  
Peterborough Council  
Reading Council  
Liverpool

and has outstanding applications in London, Poole, Basingstoke, Maidstone and Wirral.

Cabtivate has always been stringent in its support of city councils and local authorities from whom it has sought approval regarding the acceptability/unacceptability of content on/in taxis.

Furthermore, I can assure the Committee that neither advertising nor non-advertising material will be displayed on the Cabtivate system which contravenes the guidelines set by any of the following; your Licensing Authority; the Office of Communications(OFCOM) Broadcasting Code; the Advertising Standards Authority(ASA); the British Board of Film Classification (BBFC). With regard to the BBFC, only those films/videos which are classified U, Uc, or exempt from classification will be broadcast by Cabtivate.

Moreover, as standard, we are able to offer the additional security benefit whereby your approvals staff will have access to our FTP servers. This then allows them to view any proposed advert PRIOR to it being sent remotely to the taxi fleet, which in turn maintains the integrity of the system and prevents the display of unapproved material.

**Pilot Completed**

Since January 2003 the Cabtivate system has operated in Edinburgh taxis using the existing Taxi Licensing Conditions as a framework. The pilot, which was conducted over 18 months, used a mixture of 30 TX1/TX11 vehicle models.

In December 2003, Cabtivate commissioned independent market research to establish how the system has been received by taxi passengers. Below are some of the results.

- 1 92% of passengers watched the screen for the whole or most of their journey
- 2 84% of passengers find the inclusion of the screen showing advertising an enjoyable addition to the taxi journey
- 3 79% of passengers disagreed or disagreed strongly that the inclusion of a screen showing advertising was an irritating addition to the journey
- 4 Only 8% found the system irritating, of that 8% a mere 1% turned the system off.

It should also be pointed out that the only content playing on the system during this survey was adverts. We expect these figures will be improved upon when we begin broadcasting other information and entertainment such as Local and National News, Sport & Weather, short films and Local Authority messages etc.

### **Passenger Controls**

The Cabtivate system can be controlled by the passenger during a fare journey. Passengers have the facility to:

- 1 Increase volume (preset maximum)
- 2 Decrease volume (preset minimum)
- 3 Mute the system
- 4 Switch the system off

### **Content Updates/System Connectivity**

The Cabtivate system can have its media content and application software updated remotely via two different types of wireless communication.

### **GPRS**

Each system contains a GPRS modem, which utilises the same technology as mobile phones. We send a text message to the system which requests it to contact our servers and download new media content, i.e. text, images and audio. Software changes can also be made this way.

GPRS has a relatively slow transfer speed, but benefits from being accessible from anywhere that can receive a mobile phone signal. We can send a GPRS update at any time without disturbing the taxi driver's day to day schedule

## WLAN

In addition to GPRS, each system includes a WLAN (Wireless Local Area Network) card. This provides the system with a means of connecting to a Cabtivate WLAN 'Hotspot' to transfer data. The 'Hotspot' is a centrally designated location, within their licensing area, which has been installed with WLAN and server equipment, where Cabtivate taxis physically visit.

WLAN provides high speed transfer of large files. We use this method to transfer the large video content files, along with any other updates to the system on a once-monthly basis. Currently, a full media update which updates all of the content on the system for the month, takes approximately four minutes per taxi.

We send a text message to the system which signals to the driver by way of our dash-mounted 'Driver Display Unit' (DDU) that a WLAN update is required within a given timeframe. The driver then takes the taxi to the designated 'Hotspot' where the Cabtivate system will automatically connect to our server once within range.

Once the update is complete, the driver is notified via the DDU that the transfer is finished and he is free to go. The process takes about 3 minutes to complete.

## **System Security**

The Cabtivate system software has been designed and programmed in-house by the Cabtivate development team.

The security of the system is paramount, resulting in various measures being implemented from the outset that control access to the methods of updating each system.

## Server Network

All of our servers are behind multiple layers of security, including Linux based hardware firewalls, encryption and IP specific authentication, providing a very high level of security and resilience.

## GPRS

The GPRS updating method requires authentication to be provided when sending the signal for the system to connect to our servers. If incorrect or no authentication is provided, the message is ignored.

If the ID's were to become available to someone outside Cabtivate, they would not be able to interfere with the system without physically using a Cabtivate SIM card which the application is programmed to accept messages from. Even then, they would have to know the taxi's specific id AND know what message to send as the system only accepts and act upon specific messages.

If anybody were to manage to get a message through to a system, the result is that the system connects with our server and completes a predefined task. At no time is the content which is displayed on the screen in danger of being altered.

## **WLAN**

WLAN also seeks authentication in order to establish a connection with the 'Hotspot' This authentication is hard-coded into both the system application and the 'Hotspot' servers. In order for a WLAN update to take place, a message has to be sent to the system in the first place, which as described in the GPRS paragraph, would involve knowing security protocols that are unavailable outside Cabtivate.

I believe the foregoing demonstrates how advanced this system is and I would hope that this high, but achievable standard, could be viewed as the benchmark for any system which will inevitably come along in the future. We learned that simple things like ensuring the passenger has control over the passenger environment of the taxi added to their enjoyment of their journey.

## **Taxi Licensing Conditions**

Having been central to the initial drafting of the current licensing conditions relative to taxi advertising in Edinburgh and Glasgow, Cabtivate fully understands what is acceptable to be displayed as an advertisement externally/internally on/in a taxi cab.

Generally, these conditions were written for a longer term print medium and do not cater specifically for an instantly updateable Audio Visual (AV) medium in taxis. E.g. we provide News & Weather updates four times per day, announce sales in retail outlets, drive numbers to local events, broadcast local information messages and emergency messages etc. Therefore we understand a review may be required and we would be pleased to assist where we can and have forwarded a set of Model Conditions.

## **Compliance**

Our system has been independently tested by Manchester University and meets all the current Construction & Use Regulations.

We have had the system independently tested and passed for Electro Magnetic Frequency (EMF) emissions.

The system was inspected and approved by agents from the Automobile Association.

The Motor Industry Research Agency Ltd (MIRA) of Nuneaton, Warwickshire conducted tests into the integrity of the driver safety partition once four holes had been drilled into it to mount our screen. The tests demonstrated no negative effects as a

result of drilling.

All equipment relating to the Cabtivate system is located in the driver's compartment and is not visible from the driver position. The display screen is located behind the driver headrest affixed to the perspex partition between driver and passenger compartment. Therefore, there is no risk of injury to the driver from the system in the event of a road traffic accident.

Cabtivate can, therefore, with confidence state that its system does not interfere with any other safety, control, electrical, computer, navigation, satellite or radio system in the vehicle. Moreover, the installation of the Cabtivate system will not weaken the structure or any component part of the vehicle or interfere with the integrity of the manufacturer's original equipment.

### **Local Authority Benefits**

#### **Reduced average vehicle age**

Because of the attractive and substantial rewards taxi operators will receive as a result of having this system installed we feel it is reasonable to assume they will upgrade their vehicles in order to be able to participate.

#### **Technology product - innovative City**

Our technology product will demonstrate to visitors the vibrancy of the administrative area, its cultural diversities and its approach to innovation, not to mention a new way to promote to them, some of the attractions they should take-in during their visit.

#### **Free event advertising**

Where other Local Authorities do not have a budget to support or promote their local events, Cabtivate makes available free event advertising for that purpose. We feel that both the taxi trade and the local authority benefit from successful events within the administrative area and look to supporting both to that mutually beneficial goal. Also the systems content can include Local Authority welcome, safety and licensing messages to passengers.

#### **Uniformity of fleet**

Our system is only available in traditional, purpose built vehicles. Our research shows that Taxi Owners with older/other vehicles will change vehicles in order to participate.

#### **Improved passenger experience**

From independent market research we are able to demonstrate that passengers are engaged and entertained by the system, as per results noted earlier.

### Improved passenger safety

Passengers and especially lone females, are encouraged via an advert on the system to “text the taxi licence number to a friend” the advert will visually point out to the passenger where this number can be found in the taxi.

We believe this initiative is supportive of the taxi trade as it demonstrates to the travelling public they are prepared to be both accountable and transparent.

### Increased passenger choice

Passengers can decide whether to watch the Cabtivate system or not. Our aim is to install around 30% of the fleet within 36 months.

## **Taxi Owner Benefits**

### Additional Income

The additional income to Taxi Owners is substantial. Over a four year period they would receive a monthly payment which would amount to £10,700 increasing to almost £15,000 if they chose to have an externally liveried taxi. Given that this income effectively halves the cost of a purpose built taxi purchased for £30,000, it's easy to see why we have so many Taxi Owners wishing to take up the offer.

### Higher Residual Value

If the taxi driver decides to upgrade his taxi during the contractual period (four years), the contract can be transferred to the new owner. The taxi will have a higher residual value since it can be sold with a guaranteed income.

### CCTV

Taxi Operators have the option to have their system upgraded to include a CCTV facility with no financial burden being placed on them whatsoever. The CCTV system constantly records up to the last 30 minutes; these images cannot be accessed from the taxi. In the event of an incident the images are remotely transferred to our control room and can be made available to either Police or Local Authorities.

### Free Insurance

The system comes fully insured by Cabtivate to cover third party, fire and theft, which avoids any loading onto their existing policies.

### Less Downtime

Taxi Owners vehicles will have less time off the road than they currently experience in

comparison to having liveries or door posters fitted. We find many owners simply don't want adverts on their vehicles, preferring to keep them aesthetically pleasing, not only for their own benefit but also for their passengers.

### Entertained Passengers

The Cabtivate system is designed to ensure that passenger comfort, safety and convenience is not compromised, but rather enhanced. This has generally resulted in happy passengers being generous passengers!

I hope the above gives all the required information to support this application. However, should you require to discuss our proposal further or have any queries relating to either this application or the Cabtivate system, please do not hesitate to contact me.

Yours sincerely

Keith AF Neilson

Development Director





## Private Hire Door Signs

**Private Hire and Hackney Carriage  
Licensing Sub-Committee**

**Date: 28<sup>th</sup> July 2006**

**Author: Group Director, Environment and Leisure**

**Wards Affected: All**

### **Purpose**

- To report progress following a motion to Council that all private hire vehicles should display signage to indicate that they are licensed by the Council.

### **Recommendation**

The Sub-Committee is asked to : -

- note the present position that officers undertake a consultation exercise.

## **1. Reasons**

- 1.1 A motion has been placed before Council stating that all private hire vehicles should display signage to indicate that they are licensed by the Council.

## **2. Detail**

- 2.1 Current licensing conditions state that an operator is permitted to display, on the front windscreen, a sign of 4 inches in depth and 15 inches in length with any combination of the following information: Name of company; telephone number; private hire. This sign is not at present mandatory.
- 2.2 Operators are also permitted to display two door signs, one on each side of the vehicle, displaying the above information. This is also not at present mandatory.
- 2.3 Officers are at present consulting with the trade regarding the content of the motion placed before Council. Officers are also consulting with other Local Authorities regarding their requirements for Council-produced door or window stickers.
- 2.4 Once consultation is complete a further report will be placed before this sub-committee with recommendations regarding the way forward.

## **Alternative Options**

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Further information on the subject of this report can be obtained from Rod Collett on 01793 466109 or e-mail [rcollett@swindon.gov.uk](mailto:rcollett@swindon.gov.uk).

## Private Hire Door Signs

**Private Hire and Hackney Carriage  
Licensing Sub-Committee**

**Date: 28<sup>th</sup> July 2006**

- None

### **Risk Management**

#### *Financial and Procurement Implications*

There are no direct financial implications arising from this report. There are no procurement issues arising from this report.

#### *Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)*

A Healthy and Caring Place; An Economically Prosperous Place; An Environmentally Friendly Place; A Safe Place.

### **Consultees**

The Director of Finance (s.151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) are consulted on all reports.

### **Background Papers and Appendices**

None

## Agenda Item 9

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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