



# Walsall Council

## **REPORT OF THE HEAD OF PUBLIC PROTECTION**

### **TO A MEETING OF THE LICENSING AND SAFETY COMMITTEE**

**WEDNESDAY 24<sup>TH</sup> OCTOBER 2007**

### **COLOUR, DESIGN AND LIVERY OF HACKNEY CARRIAGES/PRIVATE HIRE VEHICLES**

#### **1.0 PURPOSE OF REPORT**

- 1.1 To review the colour, design and livery requirements for hackney carriages and private hire vehicles.
- 1.2 This report has been produced at the request of the Taxi Liaison Group.

#### **2.0 RECOMMENDATION**

- 2.1 Taxi Liaison Group have requested that Licensing and Safety Committee consider the report and recommend whether:-
  - i) to remove the current requirement that Hackney Carriages of the "London Cab" type must be black.
  - ii) to replace the current requirements that private hire vehicles of the "euro conversion" type must be white.
  - iii) to impose a single colour requirement for all private hire vehicles.
  - iv) to impose a high visibility signage/livery as an alternative or addition to colour requirements.

### **3.0 FINANCIAL IMPLICATIONS**

3.1 None

### **4.0 POLICY IMPLICATIONS**

4.1 Accords with Council Policy

### **5.0 LEGAL IMPLICATIONS**

5.1 Legal Services to be consulted before recommending any changes to Licensing and Safety Committee.

5.2 Section 47, Local Government (Miscellaneous Provisions) Act, 1976 provides that a district council may attach to the grant of a hackney carriage licence such conditions as it may consider reasonably necessary.

5.3 Section 48, Local Government (Miscellaneous Provisions) Act, 1976 provides that a district council may attach to the grant of a private hire vehicle licence such conditions as it may consider reasonably necessary including:

Subsection (i) that a private hire vehicle shall not be of such a design and appearance as to lead any person to believe that the vehicle is a hackney carriage.

### **6.0 EQUAL OPPORTUNITIES**

6.1 None.

### **7.0 WARDS AFFECTED**

7.1 All.

### **8.0 CONSULTEES**

8.1 Walsall Taxi Liaison Group.

### **9.0 CONTACT OFFICER**

9.1 John Beavon – Trading Standards Manager. Ext. 2214.

### **10.0 BACKGROUND**

10.1 It is important that both hackney carriages and private hire vehicles are readily identifiable as public service vehicles.

- 10.2 It is equally (if not more so) important that private hire vehicles are readily distinguishable from hackney carriages since their respective use is governed by different rules. The main difference is that private hire vehicles must be pre-booked whereas hackney carriages may ply for hire.
- 10.3 To satisfy the above, Walsall Council currently imposes the following requirements:

#### Hackney Carriages

- May be either London Cabs or “euro style conversions”
- Must be black in colour.
- Must have an illuminated roof sign
- Licensing identification plate issued by Walsall Council shall be permanently affixed to the rear exterior of the vehicle.
- Hackney Carriages may not display any advertisement on the vehicle without prior approval.
- Hackney Carriages may not display Private Hire Operator advertising.

#### Private Hire Vehicles

- Must not be London Cabs
- There are no colour requirements for private hire vehicles except that if the body, style or appearance of a vehicle shall lead any person to believe that the vehicle is a Hackney Carriage then that vehicle shall be white in colour. Consequently, euro conversions must be white if used as private hire vehicles.
- Licensing identification plate issued by Walsall Council shall be permanently affixed to the rear exterior of the vehicle.
- Side Licensing Identification shall be permanently affixed on each of the side rear doors in a position that is between the trim and the window.
- No roof sign, advertisement or lettering is allowed without the prior consent of the Licensing Office.

## **11.0 CONSIDERATIONS**

- 11.1 A number of matters have been raised regarding the above and Committee may consider it appropriate to review the current requirements.

## **12.0 HACKNEY CARRIAGES:**

- 12.1 It is suggested that the appearance of the London Cab speaks for itself and to impose a colour requirement for such vehicles is unnecessary.
- 12.2 There is no suggestion that euro style conversion Hackney Carriages should be other than black

## **13.0 PRIVATE HIRE VEHICLES EURO STYLE CONVERSIONS**

- 13.1 It is suggested that the requirement, "if the body, style or appearance of a vehicle shall lead any person to believe that the vehicle is a Hackney Carriage then that vehicle shall be white in colour" places an unnecessary financial burden on the trade.
- 13.2 It is claimed that it would be no less effective to allow colours other than black, or shades of colour, that may have the appearance of black in artificial lighting or poor visibility.
- 13.3 It is suggested that an effective alternative to colour requirements for Private Hire Vehicles would be the introduction of prominent high visibility vehicle livery/signage which, perhaps, also highlighted the requirement for pre-booking.

## **14.0 PRIVATE HIRE VEHICLES - OTHER**

- 14.1 There would appear to be support for the imposition of a single colour for all Private Hire Vehicles. The arguments against such a suggestion are:
- The imposition of a colour requirement would not of itself render private hire vehicles more readily identifiable as such unless, of course, the colour or colour design was of unusual appearance.
  - To use a readily available colour may become confusing to the general public since private vehicles of that colour would take on the characteristics of a private hire vehicle.
  - Such a requirement would reduce the availability of suitable second hand vehicles.

- Such a requirement would place an additional and unnecessary financial burden on the trade.
- If the trade consider that the imposition of a single colour scheme is unreasonable, it may require an expensive survey of the public to assess the impact.
- A more effective and inexpensive alternative may be prominent, high visibility signage/livery as in 13.3 above.