



Walsall Council

REPORT OF THE INTERIM REGULATORY MANAGER

LICENSING AND SAFETY COMMITTEE

5 SEPTEMBER 2012

COLOUR RESTRICTION PRIVATE HIRE VEHICLES

EUROSTYLE CONVERSIONS

1.0 Summary of report

- 1.1 To place before committee a report concerning a request made by the Private Hire Association to consider amending the specified colour of Eurostyle private hire vehicles. The current condition attached to these vehicles is that they may be any colour other than black or shades of. Other vehicles which may also give the appearance of being a hackney carriage vehicle must also comply with this same condition.

2.0 Recommendations

- 2.1 The committee is asked to consider the information attached to this report and to consider whether they wish to amend the colour restriction that is currently attached to certain designs of private hire vehicles.
- 2.2 Await the outcome of a review by The Law Commission who are currently undertaking a fundamental review of the Hackney Carriage and Private Hire legislation that operates throughout England and Wales. This may include legislative changes in respect of the licensing of vehicles, drivers and operators by licensing authorities. Their intention is to provide a report with final proposals and a draft Bill by November 2013.

3.0 Background information

- 3.1 On the 20 October 2010 the Licensing & Safety Committee resolved that:

‘ The committee endorses the recommendation of the Taxi/Private Hire Liaison Group that private hire vehicles should be any colour other

than black and that the private hire vehicle licence conditions be amended accordingly’.

3.2 The report submitted to the liaison group in July 2010 is attached as **Appendix 1**.

3.3 As a consequence of this decision the current wording of the condition in respect of private hire vehicles is:

‘Private hire vehicles of a Euro Conversion Style shall display a unique high visibility livery as prescribed. Any vehicle type which may give the appearance of being a hackney carriage through its design or appearance shall be any colour other than black or shades of’.

3.4 Since the report was last submitted to the Licensing & Safety Committee in October 2010, there has been no need to update the original report as the same observations remain.

4.0 Resource considerations

4.1 **Financial:** None in respect of this report. Licence fees are not affected by vehicle type or colour.

4.2 **Legal:** Any person aggrieved by a condition attached to a licence has right of appeal to magistrates court.

The Local Government (Miscellaneous Provisions) Act 1976 governs the issue and control of licences for private hire and hackney carriage vehicles, drivers and operators.

Section 48 of the Act allows councils to attach to the grant of a licence for private hire vehicles such conditions as they consider reasonably necessary.

The Government is currently considering the reform of the law in respect of taxis and private hire services in England and Wales. It is possible that national minimum standards may be set in respect of private hire vehicles.

4.3 **Staffing:** Nothing arising from this report

5.0 Citizen impact

5.1 None arising from this report. The original decision taken by this Committee in October 2010 was made so that members of the general public could better differentiate between vehicle types that were both licensed for both hackney carriage and private hire work.

6.0 Community safety

6.1 None arising from this report.

7.0 Environmental impact

7.1 None arising from this report

8.0 Performance and risk management issues

8.1 Nothing arising from this report

9.0 Equality implications

9.1 Nothing arising from this report

10.0 Consultation

10.1 Taxi liaison group

11.0 Appendices

11.1 Appendix 1 – Taxi Liaison Group report July 2010

12.0 Contact Officer

12.1 Steve Knapper, 01922 652221