

Report of	Meeting	Date
Director of Legal Services	Licensing & Safety Committee	11 January 2006

LICENCE CONDITION RELATING TO COLOUR OF LICENSED VEHICLES

PURPOSE OF REPORT

- To inform members of a problem that is arising regarding the colour of licensed vehicles and for members to approve a change of licence condition to address this problem.

2 CORPORATE PRIORITIES. This report has no impact upon the key priorities of the Council.

RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation		Regulatory/Legal	4
Financial		Operational	
People		Other	

- There is a right of appeal against a condition imposed on private hire vehicle or hackney carriage proprietors licence to the Magistrates Court. In addition the requirement that vehicles should be of a particular colour could also be the subject of a challenge by way of judicial review.

BACKGROUND

5. The hackney carriage proprietors licence contains a condition that the colour of a hackney carriage, "if of a saloon type, must be white". Similarly, the private hire vehicle licences contain a condition that the colour of a private hire vehicle, "if of a saloon type, must not be white". These conditions were imposed to make it easy for members of the travelling public to differentiate between hackney carriages and private hire vehicles.

6. These licence conditions are no longer effective because of the various classes of vehicles that have been introduced in recent years making the use of the term "saloon car" inappropriate as a means of maintaining the colour differential.

7 . It is important that members of the public are able to distinguish between those vehicles that are licensed as hackney carriage vehicles and can ply for hire and private hire vehicles that must be booked in advance. Given that this Council has a “ mixed fleet “ of hackney carriages (London style taxis and other vehicles) the colour difference between hackney carriages and private hire vehicles is of more significance and it is therefore important to maintain the distinction.

8. It is therefore proposed that the following changes be made to the hackney carriage proprietors licence and private hire vehicle licences. If approved these conditions would attach to the new grant of a vehicle licence, the renewal of a vehicle and any transfers .

Hackney carriage condition 3.(g),The colour of the vehicle unless a purpose built hackney carriage shall be white.

Private Hire Vehicle condition 4(g), The colour of the vehicle shall not be white.

COMMENTS OF THE DIRECTOR OF FINANCE

N/A

RECOMMENDATION

That the Committee approves the amended conditions in the form above.

CHIEF OFFICER NAME – Rosemary A. Lyon

CHIEF OFFICER DESIGNATION – DIRECTOR OF LEGAL SERVICES

There are no background papers to this report.

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