

**GLOUCESTER CITY COUNCIL**

<b>COMMITTEE</b>	:	<b>LICENSING &amp; ENFORCEMENT</b>
<b>DATE</b>	:	<b>16 JUNE 2003</b>
<b>SUBJECT</b>	:	<b>LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976: GENERAL CONDITIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING – PRIVATE HIRE VEHICLES BODYWORK COLOUR</b>
<b>WARD</b>	:	<b>ALL</b>
<b>REPORT BY</b>	:	<b>PRINCIPAL ENVIRONMENTAL HEALTH OFFICER (COMMERCIAL)</b>
<b>NO. OF APPENDICES</b>	:	<b>1: MINUTE 76 (LICENSING AND ENFORCEMENT COMMITTEE 24 APRIL 2003) 2: REPORT ES20316</b>
<b>REFERENCE NO.</b>	:	<b>ES20321</b>

**1.0 PURPOSE OF REPORT**

- 1.1 For Members to review their decision on the time-scale for existing private hire vehicles (PHVs) with white bodywork colour to be phased out.

**2.0 RECOMMENDATIONS**

- 2.1 The Committee is recommended to resolve that:-

- a) no changes be made to the decisions made on 24 April 2003 and, consequently, the use of white bodywork colour on PHVs shall be phased out by 31 March 2009.

**3.0 BACKGROUND**

- 3.1 At the last meeting of the Committee policy changes were introduced that are designed to further improve the distinction between PHVs and taxis (please refer to Appendices 1 and 2).

- 3.2 At the request of the Gloucester Hackney Carriage Association (GHCA) members agreed to re-consider the time-scale for white PHVs to be phased out at this meeting following further consultation with affected licensees.

#### **4.0 PROGRESS**

- 4.1 The May 2003 edition of the Hackney Carriage and Private Hire newsletter informed all licensees of: this review; GHCA's request; and, the opportunity to make comments. Discussions had also taken place within the Hackney Carriage and Private Hire liaison meetings where opinion was divided on trade lines. Taxi drivers favour the change being made within three years because that was the period allowed when they introduced an all white fleet and private hire licensees favour a longer period to avoid any detriment to owners of nearly new vehicles.
- 4.2 In response to the newsletter item two letters have been received. The first from Mrs J Lusty who has wide trade experience as a licensed hackney carriage driver and has driven a private hire vehicle in recent years. Mrs Lusty wrote on 14 May 2003 to express her belated opposition to white being phased out from the PHV fleet and then went on to offer her opinions and insights into GHCA's request. Mrs Lusty wrote :-

*"...I am appalled that GHCA has so much input into PH business in respect of its dialogue with the Council. If this proposal and the subsequent phasing in period had originated with the Council I would be far more receptive to the change but view the reasons behind it with great suspicion.*

*In the matter of the phasing in period the GHCA's position... is irrelevant in view of the reasons for its introduction. This was simply and solely to prevent the compulsory introduction of London Style Cabs. The programme of uniform colour and car livery was introduced as a counter measure and eventually accepted by the Hackney Carriage Committee. Although the final changeover was three years the unofficial changeover was far longer and everyone in the hackney trade was aware for much longer of the impending change. The changeover for PHVs is solely motivated by the hackney trade and a three year period is both unfair and costly to the PH trade as there has been almost no prior discussions on this change that have been made known to PH drivers. Anyone who has bought a newish vehicle would reasonably expect to keep it for at least five years and anything less than this period would be grossly unfair and costly.*

*I feel that instead of continually carping about the business of Private Hire the GHCA would do far better to look at its own inadequacies and attitudes..."*

The second letter was received from Mr Alan Hall, Director of Intacab Gloucester. This company is one of the larger Private Hire Operators in the City. In his letter of 30 May 2003 Mr Hall wrote :-

*“We were disappointed that at the Licensing & Enforcement meeting on 24 April 2003 it was agreed that the colour of PHV’s should be anything but white, particularly after a firm promise had been given by the Council to this company that when accepting that HCV would be white we would not have to change from our standard company colour of white.*

*With regard to the time schedule for the colour change and the GHCA request that it should be done over a three year period in line with their period of change, the circumstances of this change are entirely different. The GHCA, to avoid having to adopt a standard vehicle with disabled access similar to the London Taxi, put forward a proposal that they would have a standard colour with identical roof signs and door panels, in other words they asked for the change for their own benefit.*

*We have two licenced PH vehicles which are only a few months old, and another one of just over a year, apart from several other vehicles which are older. Given the above and that normally vehicles do not have to be changed until they are eight years old, we feel it is unreasonable to ask us to change the colour of our vehicles over a three year period which would mean our having to sell vehicles early or incurring the additional expense of re-spraying. As a compromise the original suggestion proposed to the committee of 31 March 2009 would be acceptable.*

*I would have liked to have attended the meeting on the 16 June 2003 to express my views, but unfortunately I am abroad on holiday and will not be able to attend. I hope however you will give this serious consideration so that the breaking of the original promise is not compounded by an unreasonable request on the period of change.”*

- 4.3 Unfortunately no current officers or members have personal knowledge of the circumstances relating to the 1992 decision (Minute 22(1) HC Sub 06.01.92) to introduce a uniform colour for taxis. However, enquiries with a former colleague have confirmed the accuracy of Mrs Lusty’s account of the trade’s motivation. The taxi trade will always be consulted and it is clear from case law that they have a right to be involved, all of which does not mean that their input is bound to be decisive.
- 4.4 I suggest that for members the central issue is the balance to be struck between, on the one hand, the public safety and vehicle recognition benefits of the agreed change to PHV body colour; and, on the other the interests of PHV licensees and fairness to them. Despite Mr Hall’s recollection of a “firm promise “ having been given by this Council there is certainly no binding precedent from the 1992 decision and given our knowledge of the PHV fleet’s age distribution (Appendix B) it is clear that if the end of 2008/9 is retained as the cut off date a substantial proportion of the PHV fleet will be changed well before then and the few owners of very recent white PHVs will not be prejudiced.

4.5 Any other licensees' comments that are received will be reported at the meeting.

## **5.0 FUTURE WORK**

5.1 If members accept the recommendations EHS would use the HC/PH newsletter to inform the trade and, in due course, amend passenger guidance accordingly.

## **6.0 CONCLUSIONS**

6.1 The Council has a duty to ensure that as far as is reasonably possible PHVs cannot be confused with taxis. There are no compelling reasons for varying the previously agreed date for there to be no white PHVs in the licensed fleet.

## **7.0 FINANCIAL IMPLICATIONS**

7.1 None at this stage

7.2 **Name of the Officer: Rob Wharton**

## **8.0 LEGAL IMPLICATIONS**

8.1 Section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976 prevents the Council from granting a private hire licence unless they are satisfied that the vehicle is not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage. The Council has successfully argued in Court that the yellow roof signs on Private Hire Vehicles distinguish such vehicles from hackney carriages.

8.2 Notwithstanding that the Council has power to take the view that the yellow roof signs are sufficient to distinguish private hire vehicles from hackney carriages, the Council has powers under Section 48(2) to impose conditions relating to livery.

8.3 **Name of the Officer: S.K.Isaac**

## **9.0 HEALTH AND ENVIRONMENTAL IMPLICATIONS**

9.1 There are no additional implications.

## **10.0 HUMAN RESOURCES IMPLICATIONS**

(a) **Staffing Implications:**

None

**Name of the Officer: Gill Bourton**

(b) **Trade Union Comments**

No comments

**Name of the T U Official: Ivan Hughes**

**11.0 COMMUNITY SAFETY IMPLICATIONS**

11.1 There are no additional implications.

**Background Papers** : Service Records

**Published Papers** : None

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**76. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976:  
GENERAL CONDITIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE  
LICENSING - PRIVATE HIRE VEHICLES ADVERTISING AND BODY WORK  
COLOUR**

A report by the Head of Environmental Health asked Members to determine what changes should be made to the Council's General Conditions following consultation on the question of advertising on Private Hire Vehicles (PHVs) and their body work colour.

The Head of Environmental Health circulated to Members a letter from Gloucester Hackney Carriage Association supporting the request for the Council to reconsider the non-use of colour white for Private Hire Vehicles within the City of Gloucester. The Association's views had been the more consistent of those that had been expressed by consultees.

The Head of Environmental Health informed Members that, notwithstanding the introduction of Private Hire Vehicles roof signs, there is still scope for the public to be confused by the differences between Hackney Carriage and Private Hire Vehicles. The Council has a duty to ensure that as far as reasonable there should not be confusion between the two. It was felt that advertisements on PHVs would cause confusion and on the same basis a case existed for white PHVs to be phased out. The recommendations would further improve the distinction between PHVs and taxis and offered the added benefit of enabling the private hire trade to use non metropolitan type accessible vehicles which also have enhanced driver safety features.

Members recognised the need to work in ways to minimise confusion about the differences between taxis and PHVs and they noted that, currently, white private hire vehicles are predominant in the numbers of currently licensed vehicles. They felt that the Hackney Carriage Association's earlier request to phase out white PHVs by 31 March 2006 as opposed to 2009 as suggested in the report was a material consideration as it would affect a greater number of licensees and cause additional expense.

It was noted that Gloucestershire Police had confirmed their support for the proposition that Private Hire Vehicles in Gloucester should not be white in colour. The Head of Environmental Health informed Members that following circulation of the report two new Private Hire Vehicles which were white in colour had been licensed.

## **RESOLVED**

1. That advertising on Private Hire Vehicles should continue to be prohibited.
2. That use of white body work colour of PHVs should be phased out by adopting policies to:-
  - (i) cease the issue of new PHV licences for white vehicles with immediate effect; and
  - (ii) cease all renewals for the existing white PHVs beyond 31 March 2009 by which the three newest existing white PHVs will be eight years old and this be subject to review at the meeting of the Licensing and Enforcement Committee on 16 June 2003 thereby allowing for further consultation to be carried out with all interested parties.
3. That the licensing of wheelchair accessible vehicles as PHVs is encouraged, provided they offer all facilities for the disabled that are currently specified in the Council's general condition, offer enhanced driver safety features but not London taxis.

Agenda Item No.

**GLOUCESTER CITY COUNCIL**

**COMMITTEE** : **LICENSING & ENFORCEMENT**

**DATE** : **24 APRIL 2003**

**SUBJECT** : **LOCAL GOVERNMENT  
(MISCELLANEOUS PROVISIONS) ACT  
1976: GENERAL CONDITIONS FOR  
HACKNEY CARRIAGE AND PRIVATE  
HIRE LICENSING –PRIVATE HIRE  
VEHICLES ADVERTISING AND  
BODYWORK COLOUR**

**WARD** : **ALL**

**REPORT BY** : **HEAD OF ENVIRONMENTAL HEALTH**

**NO. OF APPENDICES** : **A: REPORT ES20250**  
**B: MINUTE 46 (LICENSING AND  
ENFORCEMENT COMMITTEE 9 DEC  
2002)**  
**C: CONSULTATION QUESTIONNAIRE**  
**D: LETTERS FROM a) MR A HALL  
INTACAR GLOUCESTER DATED  
20 JAN 2003 b) Mr P FAICE DATED  
31 MARCH 2003 c) MESSRS LINKE  
AND KENT FIRST ASSOCIATED  
DATED 3 APRIL 2003 d) MR A MAGRI  
ANDY CARS DATED 3 APRIL 2003 e)  
PS A FIELD DATED 7 APRIL 2003**  
**E: PHV FLEET APRIL 2003 COLOUR  
DISTRIBUTION & AGES OF WHITE  
VEHICLES**

**REFERENCE NO.** : **ES20316**

**1.0 PURPOSE OF REPORT**

1.1 For Members to determine what changes should be made to Council's General Conditions following consultation on the question of advertising on private hire vehicles (PHVs) and their bodywork colour.



## **2.0 RECOMMENDATIONS**

2.1 The Committee is recommended to resolve that:-

- a Advertising on private hire vehicles should continue to be prohibited.
- b The use of white bodywork colour on PHVs shall be phased out by adopting policies to: i) cease the issue of new PHV licences for white vehicles with immediate effect; and, ii) cease all renewals for existing white PHVs beyond 31 March 2009 by which time the three newest existing white PHVs will be eight years old.
- c The licensing of wheelchair accessible vehicles as PHVs is encouraged provided they offer all the facilities for the disabled that are currently specified in the Council's General Conditions, offer enhanced driver safety features but are not London Taxis.

## **3.0 BACKGROUND**

3.3 Please refer to Appendices A and B.

## **4.0 PROGRESS**

4.1 Following Member's decision for full consultation on these linked issues the opinion of people involved in the taxi and private hire trades was sought by:

- a) Use of the Hackney Carriage and Private Hire Newsletter; the February 2003 edition said:

### ***'PHV Advertising / Bodywork Colour***

*The Licensing and Enforcement Committee have considered a request to change the General Conditions so as to permit whole body advertising to be carried on Private Hire Vehicles. The Committee decided that no changes should be made at present as they wanted to know more about licensees' opinions. The Committee agreed that there is a link here with the bodywork colour of PHVs and noted GHCA's request for the Conditions to be varied to require, over a period, PHVs to be any colour other than white.*

*The 'Roof Sign Means Safety' publicity campaign is part of the ongoing work to educate the public about recognising properly licensed vehicles and we have been very pleased with the local and national media coverage that it received. The Committee has recognised the value of the roof signs in promoting public safety and enabling the public to distinguish between taxis and PHVs. However it can be argued that there is still scope for confusion because some PHVs are the same colour as taxis - what do you think?*

***We will be conducting a survey of licensees over the next few weeks and will be reporting back to the Committee later in the year. If you have any views on these subjects please write and let us know.'***

There was virtually no response to this invitation which suggests either that most licensees do not have an interest in these questions or they are apathetic.

- b) Discussions at the HC & PH Liaison meetings on 21 January 2003 and 18 March 2003. At the former meeting GHCA members expressed their opposition to advertising on PHVs which they felt would confuse the public about the difference between taxis and PHVs. They also re-affirmed their call for white PHVs to be phased out and any colour but white to be acceptable for licensing. At the private hire meeting on 18 March representatives did not express a particular view either way other than Mr A Hall of Intacar who is opposed to advertising on PHVs but only has vehicles that are white and wants this to continue.

As reported previously (Appendix A para 4.4) Intacar had an all white fleet before this colour was introduced for taxis in 1993 and did not object to that change provided it would not adversely impact on them in the future. Mr Hall has re-affirmed this in a letter sent as part of this consultation process (Appendix D).

The question of whether or not Mr Hall's firm should be exempted from the phasing out of white vehicles is the one area that has caused the greatest difficulty for your officers and, consequently, this aspect of the recommendation is very finely balanced. There is a strong counter argument to Mr Hall's position that nothing is forever and he should be prepared to move on particularly as he makes no secret of the fact that courier and other non private hire work are the most important parts of his business. Similarly it would be unfair if Intacar were allowed to licence a white Euro 7 but other operators were prohibited. The strongest argument for retaining white PHVs is that where they are 6 seater MPVs an owner / driver may more readily be able to transfer across to the taxi fleet subject to passing the knowledge test. This is insufficient in your officer's opinion to overcome the recognition advantages of phasing out white PHVs.

Mr Hall has also expressed the view that the distinctive roof signs are perfectly adequate to distinguish between taxis and PHVs and it would not matter if all licensed vehicles were white. I referred previously (Appendix A) to my view that it would be unwise to place sole reliance on roof signs as the means of distinguishing between taxis and PHVs. Our analysis of the current PHV fleet (Appendix E) shows how many vehicles are white and this must introduce some element of confusion.

PH representatives acknowledged that whole body advertising can make it difficult to determine a vehicle's colour and felt that there might be a case for only partial coverage to be allowed. There was also some discussion about the merits of a single fleet colour for PHVs but, again, no clear consensus emerged. The views of other taxi and PH trade members who wrote are set out in Appendix D (b)-(d) and, again, members will note the divergence of views on vehicle colour and advertising.

- c) Licensee opinion was tested by use of the questionnaire that appears at Appendix C and, broadly, this has confirmed the taxi trade view that advertisements should not be allowed on PHVs and white should be phased out. However responses have by no means been consistently polarised along trade divisions. A larger proportion of the private hire trade favour advertisements and are against white cars being phased out. However because of the relatively small sample of licensees involved in this aspect of the consultation and the lack of a consensus views I am not relying on this evidence.
- d) Police views: PS Alan Field the Forest and Gloucester Division's licensing officer who is our normal point of contact for licensing liaison and with whom EHS works very closely on out of hours licensing enforcement has argued very strongly that advertising and white bodywork makes PHVs look like taxis and thereby serves to further confuse the public. He has also consistently emphasised the requirement for PHVs not to look like taxis and argued against any exceptions being made for Intacar. PS Field wrote to confirm his advice on PHV's colour on 7 April 2003 (Appendix D (e) refers).

4.2 PH trade representatives have used this consultation to introduce their valid concerns about the very limited vehicle options which exist for their drivers to enjoy the safety and security benefits of properly compartmentalised vehicles. The recently published driver's safety code promotes the use of purpose built vehicles. Such vehicles often have the added advantage of offering access facilities for disabled passengers. Technically the General Conditions do not rule out accessible vehicles like the Euro 7 from being licensed as PHVs. However, I feel that the degree of passenger confusion would be intensified if white Euro 7s were licensed as PHVs. It would, therefore, be doubly advantageous if the Council encouraged non-white wheelchair accessible vehicles with built-in driver safety features to be licensed as PHVs. To avoid confusion and attempts at illegal flag downs it is also important that metropolitan type or London taxis are only licensed as taxis and that the prohibition on their use as PHVs continues. My recommendations have been framed with this in mind.

## **5.0 FUTURE WORK**

- 5.2 If members accept the recommendations EHS would use the HC/PH newsletter to inform the trade and, in due course, amend passenger guidance accordingly.

## **6.0 CONCLUSIONS**

- 6.1 The Council has a duty to ensure that as far as is reasonably possible PHVs cannot be confused with taxis. Officers and the police feel that advertisements on PHVs will cause confusion and that on the same basis a case exists for white PHVs to be phased out. The consultation evidence has shown that only taxi drivers have the more consistent opinions. The recommendations allow for the recognition issues to be overcome and for the private hire trade to have access to more secure vehicles which are also wheelchair accessible.

## **7.0 FINANCIAL IMPLICATIONS**

- 7.1 None at this stage
- 7.2 **Name of the Officer: Rob Wharton**

## **8.0 LEGAL IMPLICATIONS**

- 8.1 Section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976 prevents the Council from granting a private hire licence unless they are satisfied that the vehicle is not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage. The Council has successfully argued in Court that the yellow roof signs on Private Hire Vehicles distinguish such vehicles from hackney carriages.
- 8.2 Notwithstanding that the Council has power to take the view that the yellow roof signs are sufficient to distinguish private hire vehicles from hackney carriages, the Council has powers under Section 48(2) to impose conditions relating to livery.
- 8.3 **Name of the Officer: S.K.Isaac**

## **9.0 HEALTH AND ENVIRONMENTAL IMPLICATIONS**

- 9.1 There are no additional implications.

## **10.0 HUMAN RESOURCES IMPLICATIONS**

- (a) **Staffing Implications:**

None

**Name of the Officer: Gill Bourton**

(b) **Trade Union Comments**

No comments

**Name of the T U Official: Ivan Hughes**

**11.0 COMMUNITY SAFETY IMPLICATIONS**

11.1 There are no additional implications.

**Background Papers** : Service Records

**Published Papers** : None

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Agenda Item No:

**GLOUCESTER CITY COUNCIL**

**COMMITTEE** : **LICENSING & ENFORCEMENT**

**DATE** : **9 DECEMBER 2002**

**SUBJECT** : **GENERAL CONDITIONS FOR  
HACKNEY CARRIAGE AND PRIVATE  
HIRE LICENSING: ADVERTISING ON  
PRIVATE HIRE VEHICLES**

**WARD** : **ALL**

**REPORT BY** : **HEAD OF ENVIRONMENTAL HEALTH**

**AUTHOR OF REPORT** : **HEAD OF ENVIRONMENTAL HEALTH**

**NO. OF APPENDICES** : **A: EXTRACT FROM THE GENERAL  
CONDITIONS FOR HACKNEY  
CARRIAGE AND PRIVATE HIRE  
LICENSING - PARAGRAPHS 12-13**

**REFERENCE NO.** : **ES20250**

**1.0 PURPOSE OF REPORT**

1.1 For members to consider and determine a request to change the Council's General Conditions regarding the display of whole body vehicle advertising on PHVs.

**2.0 RECOMMENDATIONS**

2.1 The Committee is recommended to resolve that:

- a) no changes be made for the time being to Condition 13(d) of the Council's General Conditions for Hackney Carriage and Private Hire Licensing.

- b) the Head of Environmental Health arrange for full consultation on the linked issues of PHV advertising and body work colour to take place and report back to a future meeting.

### **3.0 BACKGROUND**

- 3.1 The City Council has statutory powers to licence hackney carriage and private hire drivers and may apply conditions to the issue of such a licence. The City Council have approved a comprehensive set of general conditions which are intended to maintain minimum standards of operation within the hackney carriage and private hire trades for the benefit, convenience and safety of members of the public. Contained within the general conditions are clauses dealing with signage (Appendix A).
- 3.2 The current (March 2002) edition of the General Conditions followed extensive discussion and challenge within the Hackney Carriage and Private Hire Liaison Group over many months in 2001. The Conditions were approved by Members at their meeting on 25 March 2002 (minute 80 refers).
- 3.3 The applicant has been sent a copy of this report and invited to attend the meeting.

### **4.0 INFORMATION**

- 4.1 Mr I MacDonald of 1<sup>st</sup> Call Private Hire has asked that consideration be given to variation of condition 13(d) to permit PHVs to also carry an advertising livery subject to individual approval as for HCVs. He has been offered sponsorship by a car retailer which, if approved, would enable to him to upgrade his vehicle.
- 4.2 Advertising on HCVs has been permitted since January 2001 and has been taken up by only a handful of licensees. This is somewhat surprising given the additional income potential from this form of advertising. Advertising livery is particularly effective on HCVs because they all have white bodywork.
- 4.3 It is the vehicle colour issue that concerns me and which I feel is highlighted by this proposal. The GHCA representatives who sit on the HC/PH Liaison Group are opposed to PHVs being allowed to carry advertising because they feel that this would serve to confuse passengers and lead to attempted flag downs of any PHVs carrying an advertising livery. GHCA have also argued that PHVs should not be allowed to be white and that the Council should stipulate this in the General Conditions.
- 4.4 Whilst I am not bringing forward such a proposal at his stage I believe that vehicle colour remains an issue in terms of enabling the travelling public being able to readily differentiate between taxis and PHVs. Whilst the recent introduction of uniform PHV roof signs has helped it would undoubtedly make differentiation simpler if only taxis were white. However when the standardised white colour for taxis was introduced in 1993 no requirements were imposed on PHVs. This was due in part I suspect to the fact that Intacar, one of the

city's major PH operators, had white vehicles as part of their national franchise livery. It is clear to me that the Council has an obligation to Intacar to not make any change that would adversely impact on that company given that they had all white vehicles before they were introduced to taxis in the city.

4.5 I am reluctant to recommend any change which would mean that we will always have to rely solely on roof signs as the principal means of differentiation. If PHVs were allowed to carry advertisements it is likely that a greater number of white PHVs would be licensed because it is a suitable 'background' colour. This would add to the difficulties in making a future policy change in relation to PHV body colour.

4.6 I am also mindful that whilst Mr McDonald is a progressive licensee he operates at present on a very small scale. However because of the wider issues that are at stake I do not suggest that members should adopt a 'small scale' exception approach. I have undertaken preliminary consultation with the major operators and opinion is divided. I am therefore recommending that no early changes be made to paragraph 13(d) in order that full trade consultation can take place through the HC/PH newsletter and the views of other stakeholders sought.

## **5.0 FINANCIAL IMPLICATIONS**

5.1 There are no costs arising to the council at this stage from Recommendation 2.0 above.

## **6.0 LEGAL IMPLICATIONS**

6.1 Section 47 and Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 allow the Council to require Hackney Carriages and Private Hire Vehicles respectively to be of a particular design, size, appearance and type.

## **7.0 HEALTH AND ENVIRONMENTAL IMPLICATIONS**

7.1 There are no additional implications.

## **8.0 PERSONNEL IMPLICATIONS**

(a) Staffing Implications

None.

(b) Trade Union Implications

No comments.



## **9.0 COMMUNITY SAFETY IMPLICATIONS**

- 9.1 The licensing system makes provision for both medicals and Criminal Records Bureau checks and conviction notifications so that the fitness and suitability of persons to be licensed can be assessed and kept under review.

**Background Papers** : Service Records  
**Published Papers** : None  
**Plans** : None  
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## EXTRACT FROM GENERAL CONDITIONS - PARAGRAPHS 12-13

### Signs

12. No fittings or signs, except as provided below, shall be attached to, or carried either upon the inside or outside of the vehicle.
13. (a) Hackney Carriages must be fitted with an approved standardised roof sign, with the exception of Metropolitan type vehicles.
- (b) Private Hire Vehicles must by 1 July 2002 be fitted with an approved standardised roof sign which shall be kept illuminated during the hours of darkness. (Cabinet 13.03.02)
- (c) All licensed Hackney Carriage Vehicles may display on both front doors of the vehicle the approved recognition panel showing the words City of Gloucester, City Crest, licensed vehicle plate number together with their own business name and telephone if they wish. The maximum size of the door recognition panel shall be 0.61 sq. metres (two square feet). (L&E Committee 25.03.02)
- (d) Hackney Carriage Vehicles are permitted to have whole vehicle body advertising livery for a single product or service etc. subject to prior approval by the Head of Environmental Health. (Full Council 25.01.01).
- (e) All licensed Private Hire Vehicles may display on both front doors the approved recognition panel consisting of the following information:-
- City of Gloucester  
[Company Trade Name] Private Hire  
Pre-Bookings only  
[Telephone]  
Private Hire Licence No. .... (L&E Committee 25.03.02)
- (f) The maximum size of the door recognition panel shall be 0.61 sq.metres (two square feet) and shall be rectangular in shape. The words in 'square' brackets above to be optional. (Minute 30 HC Sub 1 March 1993)
- (g) All Private Hire door recognition panels shall be printed with black lettering on a yellow background. (Minute 30 HC Sub 1 March 1993)
- (h) All door recognition panels shall be subject to prior approval by the Licensing Enforcement Officer. (Minute 30 HC Sub 1 March 1993)
- (i) All licensed Private Hire Vehicles shall display in a clearly visible location at the rear of the vehicle the approved sign relating to their use of bus lanes.

**MINUTE 46 (LICENSING AND ENFORCEMENT COMMITTEE - 9 DECEMBER 2002)**

**46. GENERAL CONDITIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING ADVERTISING ON PRIVATE HIRE VEHICLES (ES20250)**

A report by the Head of Environmental Health asked Members to consider and determine a request to change the Council's general conditions regarding a display of whole body vehicle advertising on PHVs.

Mr McDonald, a Private Hire Operator, addressed the Committee with regard to the report and his request for PHVs to carry advertisements subject to the same approval requirements that are applied to taxis. Members noted Mr McDonald's comment that an advertising agreement would enable him to upgrade his vehicle. Nevertheless, he understood that full consultation would need to take place before this change could be contemplated. The possibility of whole body advertising on PHVs raised issues around the suitability of background colour of the vehicles and linked with GHCA's request for only taxis to be white.

**RESOLVED**

1. That no changes be made for the time being to Condition 13(d) of the Council's general conditions for Hackney Carriage and private hire licensing.
2. That the Head of Environmental Health arrange for full consultation on the linked issue of PHV advertising and bodywork colour to take place and report back to a future meeting.

## Consultation on PHV Advertising and Bodywork Colour

The Council has been asked to approve the display of whole body advertising on private hire vehicles.

The Licensing and Enforcement Committee were reluctant to make any changes without the benefit of consultation and input from all the taxi and PHV trade.

Despite the introduction of PHV roof signs advertising livery on a white PHV may lead people to confuse it with a taxi. GHCA are pressing for white PHVs to be phased out.

Please tell us what you think: 4 to answer

Question	YES	NO
Should advertising be permitted on PHVs ?		
Should advertising be permitted on PHVs of any colour ?		
Should advertising be ONLY permitted on PHVs that are NOT white ?		
Should the Council require white PHVs to be phased out over time ?		
Which type of licensed vehicle do you drive ?	PHV	HCV

**a) LETTER FROM MR A HALL - INTACAR GLOUCESTER DATED 20 JANUARY 2003**

**Re: Hackney Carriage and Private Hire Liaison Meeting - Item 5**

First of all my apologies for not being able to attend the above meeting on the 21 January 2003 as I will be away on holiday.

Regarding item 5 - Private Hire Advertising and Colour of Vehicles. As discussed by telephone I have no strong feeling on vehicle advertising but the colour of Private Hire vehicles is a different matter as we have always used white vehicles. When the Hackney Carriages were asked to adopt a standard colour and chose white I was asked by the then Hackney Carriage Officer if I minded and I replied that providing it did not alter our right to have white vehicles that I had no objection. I would resist most strongly any change to our choice of colour.

My own view regarding vehicles is that all HCV and PHV should be white, the roof sign is a clear indication of the difference between them and it would be another safeguard for the public knowing that the vehicle coming to pick them up would be a standard colour. White is also one of the few colours that is readily available when buying new cars, whatever the make, it is very visible day or night and the door and roof signs show up best against it.

Yours sincerely

**b) LETTER FROM MR P FAICE DATED 31 MARCH 2003**

Dear Sir

I write with reference to the newsletter regarding comments on colour of Private Hire Vehicles.

It would appear that once again the tail is trying to wag the dog, for some strange reason some taxi drivers always seem more interested in making life difficult for private hire operators rather than concentrating on issues that would better the taxi service.

Why after twelve years of taxis being white should we request that private hire vehicles no longer be allowed to use the same colour, especially now when taxis are allowed to have all over multi colour advertising and private hire is recognised by its distinguished roof lamp.

This could have a dramatic affect on some private hire operators, for instance one couple I know just purchased a new Skoda Octavia to use as a taxi then put their one year old vehicle on as a private hire vehicle, secondly another driver I know owns a white Mercedes that he bought particularly to do wedding hire will have to restrict his business this surely would not be reasonable.

Most drivers will remember that we became all white vehicles after we had done a survey on what colour was easily available, the council at that time had suggested burgundy or black.

If you were to do a similar survey today it would almost certainly be that silver is the most available colour, white now being the most unpopular colour on larger vehicles like the Vauxhall Omega Volvo S80 and Peugeot 806mpv these being the size of vehicle more suited for taxi work.

I would therefore ask the council to consider light silver as a second colour to use as a taxi this over a period of time would better the standard of vehicles, if at the present time a driver were looking to change his vehicle he may well purchase a particular model purely on the basis that it was the only one available in white, if however his choice was available in silver he may well have purchased a better vehicle.

If you compare a white and silver car together at night the difference is hardly noticeable, the fact that some vehicles advertising leave very little white to be seen it may well be a good time for an additional colour and at the same time an opportunity to improve some of the vehicles!

Yours sincerely

PS: Perhaps it should be the private hire operators complaining that taxis look like private hire vehicles and should all change to London style cabs.

**c) LETTER FROM MESSRS LINKE AND KENT - FIRST ASSOCIATED DATED  
3 APRIL 2003**

Re: Private Hire Vehicle colours  
Private Hire vehicle body advertising

Having spoken with a good number of private hire drivers within our fleet George and myself would like to give you our thoughts concerning any future proposals that will affect Private Hire vehicle colours and the use of whole body advertising on the Gloucester fleet.

We have come across nobody that will be opposed to a uniform body colour provided that the council give a period of perhaps three years in which to implement any changes. Of course different people prefer different colours but white does tend to carry the vote as this is a neutral colour that shows off the other vehicle livery well. Silver comes a close second. Red, blue, green etc can each come in many shades which many feel will defeat the object of a uniform colour.

Like the introduction of private hire roof signs, some drivers are keen on their vehicles being recognised by the colour. Although this is not a very strong opinion it is worthy of mention and might be used in future publicity campaigns.

The use of body advertising on private hire vehicles is not a popular idea at all. Either in panel or whole body form. Many agree that whilst metropolitan style vehicles carry this idea well, saloon cars look unattractive when covered in bold adverts. In general the only thing that our drivers want to advertise is themselves by way of the existing door and roof signs.

On a last point if you look at some saloon cars already carrying whole body adverts it is easy not to see the original vehicle colour at all, thus the reason for a common colour is lost.

One HCV with our fleet carries an advert for Fraser Motorcycles through which little can be seen of the colour white. The driver of this car also suffers from people who don't even see a taxi when they look in his direction. We understand that he will not continue with this idea when the current contract comes to an end.

Hoping that this letter is useful to you and we will see you soon.

Regards

**d) LETTER FROM MR A MAGRI - ANDY CARS DATED 3 APRIL 2003**

In response to the questions that you posed to me today, after much discussion within the company I have outlined my answers below.

1. As it stands Hackney Carriage drivers are allowed to advertise on their vehicles, which is a good source of additional revenue perhaps covering their insurance costs for the year. I would like to see this extended to the Private Hire community of Gloucester as they have to undergo all of the same licensing costs, they have the same rigorous inspections and in all probabilities have higher operating costs i.e. an operators licence.
2. If point 1 was acceptable to the council then I see no reason why there should not be a distinction between HCV's and PHV's in colour. There would obviously have to be a time limit of about five years before enforcement to safeguard the PHV's that have just purchased new or newer vehicles. If the HCV's are to be white then would it not save further confusion if all PHV's were the same colour. What colour this should be can be decided amongst the PHV community at a later date.

I hope these answers are of some help to you. I look forward to speaking with you in the near future.

King regards



**e) LETTER FROM PS A FIELD DATED 7 APRIL 2003**

**RE: PRIVATE HIRE VEHICLES - COLOUR**

Following recent meetings and events of the last twelve months, I write to confirm our support for the proposition that Private Hire vehicles in Gloucester should not be white in colour.

We share the view of the Hackney Carriage Association that with the advent of roof signs for Private Hire vehicles, then any steps that can be taken to prevent unscrupulous drivers from confusing the public are to be welcomed. The banning of the colour white for Private Hire vehicles would seem to assist this and will make it easier in terms of public education of the difference between a Hackney Carriage and a Private Hire, notwithstanding both of which are licensed vehicles.

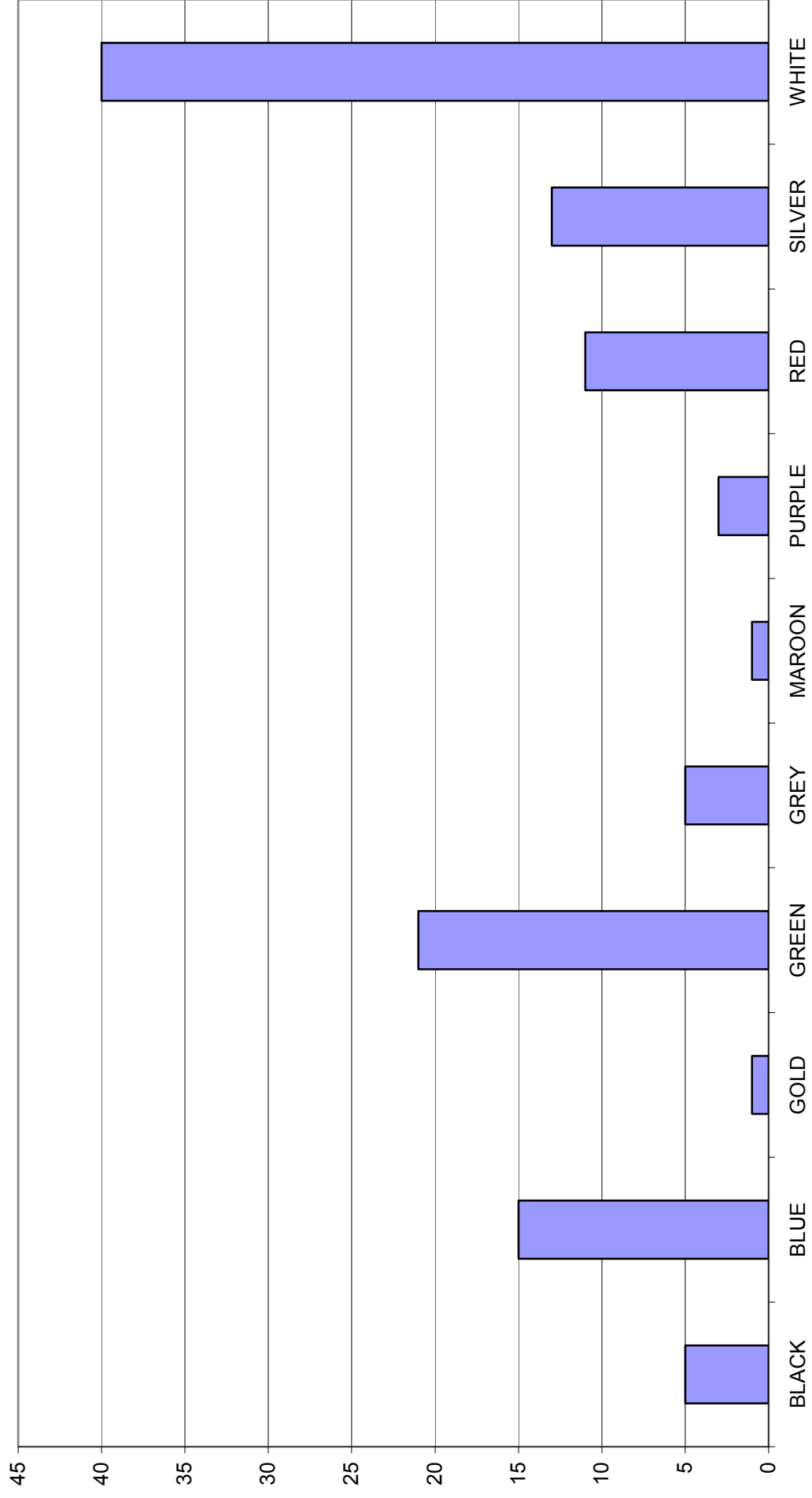
There will, of course, have to be a firmer policy in respect of full body advertising on Hackney Carriage vehicles to clearly show that they are basically, white in colour.

Yours sincerely



**APPENDIX E  
ES20316**

**PH Vehicles Colour Distribution**



# White PH Vehicles

