



LICENSING COMMITTEE
20 June 2019

ITEM 05

Report sponsor: Richard Antcliff Director Public
Protection & Streetpride
Report author: Mike Kay Head of Licensing

The Licensing of Black Coloured Euro 6 and ULEV compliant Hackney Carriages

Purpose

- 1.1 To facilitate the licensing of black coloured hackney carriages for 'early adopters' of Euro 6 and ULEV compliant vehicles prior to determination by the Licensing Committee of the agreed future colour of licensed hackney carriages in Derby.

Recommendation(s)

- 2.1 To approve the licensing of black Euro 6 and ULEV compliant hackney carriages and any yellow branding until Licensing Committee agree a future colour and branding.
- 2.2 To approve the requirement for any licensed black Euro 6 and ULEV compliant hackney carriages to comply with any future colour and branding determined by the Licensing Committee.
- 2.3 To agree that the insertion of additional wording into the vehicle terms and conditions for this matter, set out in Paragraph 4.7, is delegated to the Director of Public Protection and Streetpride, in consultation with the Chair of the Licensing Committee.
- 2.4 To approve the black pantone colours for each manufacturer of currently known Euro 6 and ULEV compliant hackney carriage vehicles set out at Appendix 1.
- 2.5 To approve, should Members agree with the requirement to include yellow branding, the pantone colour 'AA' yellow.
- 2.6 To agree that the approval of any other future vehicle manufacturers' pantone colour, set out in Paragraph 4.10, is delegated to the Director of Public Protection and Streetpride, in consultation with the Chair of the Licensing Committee.

Reason(s)

- 3.1 To facilitate and encourage the early uptake of Euro 6 and ULEV compliant hackney carriages as detailed within the proposed Taxi Licensing Strategy.

Supporting information

- 4.1 As part of the draft Taxi & Private Hire Vehicle Strategy, we are consulting on a colour change to hackney carriages, currently 'AA' yellow. This is due to the following reasons:
- A very limited number of the existing 270 licensed hackney carriage vehicles meet the government's clean air minimum standard of Euro 6 Diesel and proprietors will be expected to change their vehicles in the near future (date to be agreed by committee in due course)
 - The new vehicles will be more expensive with some proprietors taking them on lease hire or lease purchase
 - The financial products & companies offering lease options will not allow for the new vehicles to be re-sprayed in 'AA' yellow
 - The manufacturers do not stock 'AA' yellow vehicles
 - All of the manufactures (Mercedes, LEVC, Ford, Vauxhall, Nissan) supply vehicles in a standard black colour complaint
 - The strategy also seeks to demonstrate to the public that the 'rebranded' vehicles are a new offer.
- 4.2 At the time of writing, there are around twenty proprietors who it's understood want to upgrade their vehicles now and take advantage of vehicles that are currently available. Some proprietors have already placed their deposits.
- 4.3 It is proposed that we allow these 'early adopters' to take their new vehicles in black but only on a short term basis until the committee decide on the final colour change when presented with the findings and recommendations following consultation.
- 4.4 During the consultation period, officers attended each of the Hub Forum meetings. A number of comments were made about the need to retain some yellow branding on vehicles, particularly on the sides to aid their identification. Consequently Members are asked to consider the inclusion of some form of yellow branding on a short term basis until the committee decide on the final colour change when presented with the findings and recommendations following consultation.
- 4.5 Vehicle proprietors will be required to adhere to whatever colour and branding is approved by the committee in due course.
- 4.6 Vehicles will be licensed with the proprietors having to comply with additional wording, to be inserted into the vehicle terms and conditions of licence making it clear for them to adhere to future policy.

- 4.7 The net effect of this will be to insert a form of words into the terms and conditions that will be of limited application only to qualifying vehicles. As its application is limited, there should be no need to consult formally with the trade but if accepted by committee and introduced, we will need to ensure we publicise it and, where relevant, make it available to existing hackney carriage vehicle licence holders. The proposal is to delegate this to be completed by officers.
- 4.8 The proposed relevant black pantone colours for each manufacturer of currently known Euro 6 and ULEV compliant hackney carriage vehicles are set out at Appendix 1 for approval by Committee.
- 4.9 Should Members agree with the requirement to include yellow branding, the proposed pantone colour for the branding of each Euro 6 and ULEV compliant hackney carriage vehicle is 'AA' yellow.
- 4.10 It is proposed that any other future vehicle manufacturers' pantone colour approval is delegated to officers, in a similar way that future type approval of hackney carriages has been agreed previously.
- 4.11 The approvals being sought by the licensing committee are designed to be pragmatic and in no way should be seen as a final decision or one that fetters the committee's discretion when considering the final colour choice.

Public/stakeholder engagement

- 5.1 Officers have been made aware of the issue following direct communication with individual proprietors, the local trade association and vehicle suppliers.

Other options

- 6.1 To maintain the current specification requirement that all licensed hackney carriages within Derby are AA yellow until the outcome of consultation is determined.

Financial and value for money issues

- 7.1 As set out in the report.

Legal implications

- 8.1 Provision will need to be written into the relevant hackney carriage vehicle terms and conditions of licence to address the rule change, if approved by committee.

Other significant implications

- 9.1 If the proposal is approved, there will be an impact on partially sighted users but the impact would be minimal and for a short period of time. The intention is to address any issues that the Disability Forum members and the public have raised within the consultation period in future recommendations.
- 9.2 As set out in Paragraph 4.4, concerns have been raised about moving to a black colour and the importance of retaining yellow branding on the sides of any future vehicles licensed as hackney carriages. A requirement to include yellow branding as part of the proposals set out in the report will mitigate these concerns.
- 9.3 If the proposal is approved, a number of older hackney carriage vehicles will be replaced with newer, better-equipped, cleaner vehicles which will provide an improved and safer service to citizens of Derby and visitors.

This report has been approved by the following people:

| Role | Name | Date of sign-off |
|----------------------------|------------------|-------------------------|
| Legal | Olu Idowu | 7 June 2019 |
| Finance | n/a | |
| Service Director(s) | Richard Antcliff | 10 June 2019 |
| Report sponsor | Richard Antcliff | |
| Other(s) | | |

Appendix 1

Black pantone colour information for manufacturers of currently known Euro 6 and ULEV compliant hackney carriage vehicles

| Make | Model | Paint Colour | Paint Code |
|----------|--------------|----------------|------------|
| Nissan | Dynamo | Metallic Black | GN0 |
| Ford | Tourneo | Panther Black | JAYCWWA |
| Vauxhall | Vitaro | Midnight Black | 92U |
| Mercedes | Vito | Obsidian Black | 197 |
| LEVC | TX | Raven Black | P43 |
| LTI | TX4 (Euro 6) | Raven Black | P43 |