

COMMITTEE	General Licensing Committee
DATE	9th March 2005
SUBJECT	Taxi & Private Hire Vehicles – Proposed inclusion of Silver/other coloured vehicles in the trade.
REPORT OF	Head of Environmental Health

Wards	All
Purpose	To present to members the results of the consultation process regarding the inclusion of silver/other coloured vehicles into the trade.

1. Introduction

- 1.1 At the trade forum on Tuesday the 1st of June 2004 the issue of sourcing of white vehicles was raised as follows:

“The trade felt that there was a practicality problem of having only white vehicles. Drivers were experiencing problems obtaining either a brand new vehicle, because special orders had to be made which could take months to deliver, or second hand vehicles. The matter was heightened if a car was needed in a hurry to get them back on the road.

A petition had been sent recently to the Chief Executive, Martin Ray from a number of Hackney Drivers, highlighting the problem.

It was asked ‘what would be wrong with two colours?’ - White and Silver, seemed the most favourable solution.

The Council’s Scrutiny Review concluded that the white vehicle policy should remain. However, in light of the comments from the trade the Council officers will consider the issues surrounding a change in policy. The Planning and Licensing Committee would need to consider the matter in the future and make a decision about the policy”.

2. Background

- 2.1 On the 16th of September 1997 an attachment was granted to the Taxi and Private Hire vehicle conditions as follows:

“From 1st February 1998, all vehicles brought into the trade must have white paintwork. Existing vehicles, re-licensed after 1st February 1998 must be re-sprayed white or replaced by a white vehicle by 1st January 2002”

The rationale of this decision was to make licensed vehicles readily identifiable.

- 2.2 **The major concern of Environmental Health is Public Safety.** Environmental Health has to consider the colour of licensed vehicles in relation to identification by all members of the community. The public must clearly distinguish licensed vehicles so that they can be assured that the vehicles and the drivers have been

assessed and will continue to be assessed by the Licensing Team.

- 2.3 Easily recognisable colours and associated iconic livery will enable powerful press releases that bring home the message of public safety.
- 2.4 Unlicensed drivers/vehicles must be easy to distinguish from licensed vehicles to deter them from illegally picking up members of the public.
- 2.5 There may be disadvantages associated with silver vehicles as there are so many shades of grey that could be construed as silver.
- 2.6 It is recommended that **Taxis should be readily identifiable and of a uniform colour**. The rationale behind this is that private hire drivers only pick up passengers that have made a prior booking. The whereabouts of the driver is known and recorded on the database of the operator. Drivers of these vehicles will not be plying for hire from Taxi ranks and therefore it should only be imperative that these vehicles display that they can only pick up members of the public that have made a prior booking.
- 2.7 It is of the utmost importance that **Taxis stand out** from every other vehicle so that members of the public who hire a Taxi know that the driver and vehicle have been vetted.
- 2.8 There must be as little confusion for the public as possible in this regard, bearing in mind that many vulnerable members of the community utilise taxis and there is no record that they have done so, unlike Private Hire Vehicles.
- 2.9 Vulnerable members of the community may include; disabled persons, older and younger people and persons that have had too much to drink. Unscrupulous persons may *act* as Taxi drivers in order to illegally ply for hire and take advantage of these and other members of the community. It must be noted that BBC Watchdog (2005) reported that there were 32 reported incidents of rape in London last year carried out by unlicensed drivers. Avoiding incidents of this nature in Eastbourne is the priority of the Licensing Team.

3. Consultation

- 3.1 A consultation letter (see attached) was sent to all Taxi and Private Hire proprietors with regard to allowing silver cars into the trade.
- 3.2 369 proprietors were consulted. The turnout with regard to the whole trade voting was 45%. 80% of which expressed their view to include silver vehicles in the trade with 18% indicating that the colour scheme should remain unaltered (see attached).
- 3.3 57% of the Hackney Carriage proprietors voted on the issue. 84% of which expressed their view that silver vehicles should be brought into the trade with 10% indicating that the colour scheme should remain unaltered (see attached).
- 3.4 40% of Hackney Carriage proprietors stated on the voting slip that Hackney Carriage and Private Hire Vehicles should be differentiated by colour (see attached & section 4).
- 3.5 42% of Private Hire Proprietors voted on the issue. 79% of which expressed their view that silver vehicles should be brought into the trade with the remaining

21% indicating that the colour scheme remains unaltered (see attached).

- 3.6 An advert was placed in the Herald on Friday the 7th of January as part of the public consultation process (see attached). No representation has been received in connection to this advertisement.
- 3.7 Contact was made with the majority of UK associations that represent persons that have visual impairment (see attached).
A number of these associations made statements regarding the most visible colours for vehicles for persons that have visual impairment (see attached) and is tabulated below.

Organisation	Suggested Colours
Eastbourne Disability Access Group	Yellow contrasted with blue. Two tone contrasting colours are most clearly visible.
National Blind Children's Society	Yellow
Royal National College for the Blind	Yellow or White

- 3.8 Consultation with other authorities was also carried out (see attached) and tabulated below.

Authority	Vehicle Colour Consideration
Horsham District Council	All Taxis white. Private Hire colour other than white.
North East Lincolnshire Council	Proposed uniform colour for Taxis.
North Devon District Council	Proposed uniform colour for Taxis.
Hertsmere Borough Council	All Taxis London style with wheelchair access. Private Hire can be any colour.
Dartford Borough Council Derby City Council	No restriction on vehicle colour. All Taxis must be AA Yellow and be wheelchair accessible.
Watford Borough Council	Taxis white with black bonnet. Private Hire any colour.

4. Legal Implications

- 4.1 Under section 48 of the Local Government (Miscellaneous Provisions) Act 1976 it states:

“Subject to the provisions of this Part of this Act, a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence: Provided that a district council shall not grant such a licence unless they are satisfied-

- (a) that the vehicle is- (i) suitable in type, size and design for use as a private hire vehicle;
(ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage”

4.2 A number of Hackney Carriage drivers (40% of turnout) have raised point (ii) above in respect to Taxi and Private Hire vehicles being the same colour.

4.3 The Council has been satisfied to grant Private Hire Vehicle Licenses based on the current vehicle conditions set up via the Committee report dated the 16th of September 1997. However this is a point worthy of consideration.

5. Academic Research

5.1 Furness et al (2003) published an article in the **British Medical Journal** (see attached) indicating that silver cars have a significantly *reduced* chance of being involved in a serious crash. This was endorsed by the **US National Safety Council**.

5.2 White, yellow, grey, red and blue cars were reported to carry the same risk with regard to being involved in accidents.

5.3 Black, brown and green cars are statistically twice as likely to be involved in serious accidents according to the article.

5.4 Other potential confounders were taken into consideration in the analysis. The study was carried out in New Zealand which would have a bearing on ambient weather conditions.

5.5 **Daimler-Benz** undertook research (see attached) in order to determine the most conspicuous colours. The outcome was expressed as a percentage. A table indicating the outcome is shown below:

Colour	Visibility (expressed as %)
White	86
Light Ivory	71
Aqua Blue	71
Yellow	70
Signal Red	44
Grey	17
Black	4
Dark Red	4

5.6 The **US National Safety Council** defined the safest colour as “one that is highly visible in the widest range of lighting, weather and vision conditions”. The safety council noted that white is the most visible colour in uniform lighting, but has reduced visibility on light coloured roads, bright sunlight, snow and fog.

6. Options for Committee

Option	Pros	Cons
--------	------	------

<p>No change to existing vehicle licence conditions</p>	<p>Easily visible</p>	<p>Sourcing White vehicles.</p> <p>Similarity of Taxi and Private Hire vehicles.</p>
<p>All vehicles silver</p>	<p>Easily visible</p>	<p>Similarity of Taxi and Private Hire vehicles.</p> <p>Not recommended by partially sighted individuals.</p> <p>Changeover will cause confusion for members of the public who are now used to white vehicles.</p> <p>Shades of silver or Grey?</p> <p>Sourcing silver vehicles in the future.</p>
<p>Taxis remain white. Private hire vehicles colour/s other than white*.</p>	<p>Differentiation between Taxis and Private Hire Vehicles.</p> <p>No confusion for members of the public.</p> <p>There will in due course be 285 less white vehicles being purchased by Private Hire proprietors.</p> <p>Therefore there will be less demand and subsequently the sourcing of white vehicles should be less problematic in due course.</p> <p>Greatest variety for the Private Hire trade without compromising on safety.</p> <p>White is recommended by partially sighted individuals and is easily visible.</p> <p>Initially easier to source silver cars.</p> <p>Variety for the Private Hire trade without compromising on safety.</p>	<p>Sourcing white vehicles in the short term for Taxi drivers.</p> <p>Confusing changeover period</p>

<p>Taxis silver. Private Hire Vehicles colour/s other than silver.</p>	<p>Same Pros as above*</p>	<p>for members of the public. Some taxis white, others silver.</p> <p>Silver not recommended by partially sighted individuals.</p>
<p>Taxis White. Private Hire Vehicles any colour.</p>	<p>Allows maximum time for Private Hire Trade to source other coloured vehicles. Logic dictates that if there is a shortage of white vehicles Private Hire Drivers will buy cars other than white.</p>	<p>Sourcing white vehicles in the short term for Taxi drivers.</p>

7. Conclusions

- 7.1 **Public safety** is of the utmost importance. Adopting a standard colour for Taxis is the key to ensuring public safety in the town. Upon adoption it should *remain* as standard to avoid confusing members of the public.
- 7.2 Taxis and Private Hire vehicles can be **sprayed any colour**. Therefore shortage of any particular coloured vehicles is irrelevant on safety grounds as they can be re-sprayed.

Background Papers

- “Trade Forum” June, 2004
- “Taxi & Private Hire Vehicles – Proposals to unify livery” September, 1997
- “BBC Watchdog” January, 2005
- Local Government (Miscellaneous Provisions) Act 1976
- British Medical Journal, 2003, Furness et al, Volume 327, page 1455
- Land Transport New Zealand, Crown Copyright 1998-2005