

# TONBRIDGE & MALLING BOROUGH COUNCIL

## LICENSING & APPEALS COMMITTEE

13 November 2006

### Report of Chief Solicitor

#### Part 1- Public

#### Delegated

### 1 HACKNEY CARRIAGES: VEHICLE COLOUR POLICY

To report a request for change of policy away from white colour only.

#### 1.1 Introduction

- 1.1.1 Prior to the meeting with the Tonbridge and Malling Taxi Drivers Association on 8 March 2006 a request was received from the partners of Kings Hill Taxis for a review of the policy which requires Hackney Carriages to be white. The only exception to this policy is that totally wheelchair accessible vehicles (i.e. London taxi style vehicles) can be of any colour.
- 1.1.2 This issue was previously debated at the Licensing and Appeals Committee on 1 September 2003 following a request from Mr T Hill of Castle Cars, Tonbridge when it was resolved that 1. There would be no change of policy at that time and 2. The Chief Solicitor be requested to monitor the situation in liaison with neighbouring authorities and to submit a report at a later date.
- 1.1.3 Since 2003 there have been numerous verbal requests for a change of colour policy and it is the view of the Licensing Inspector, having made extensive enquiries of major dealers supplying the types of saloon cars used as Hackney Carriages, that the availability of white vehicles has become more acute since 2003. It is anticipated that Mr T Hill will represent the Tonbridge and Malling Licensed Drivers Association and that he will be supported by Mr T King of Tonbridge Taxis and Mr R Speller of Kings Hill Taxis with a request that the Hackney Carriage colour policy be reviewed to include silver coloured vehicles.
- 1.1.4 It is the view of the Licensing Inspector that the prospect of including silver coloured vehicles would not impede licensing enforcement and could lead to a higher standard of vehicle on the rank subject to the proviso that all vehicles **permanently** display the Council door logo supplied with the Hackney plate.
- 1.1.5 Members have regarded the issue of Hackney Carriages being white an important one, very central to the whole policy for taxis. It is paramount that Hackney vehicles are easily identifiable as such to reassure the public that the vehicle is

properly licensed ensuring passenger safety. It can no longer be argued that a change of policy colour would put us “out of step” with our neighbours as only Tunbridge Wells and Medway have a policy similar to our own. It is clear that all councils with a white only policy have concerns over the availability of such vehicles.

- 1.1.6 The Department for Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guide (issued October 2006) acknowledges that local authorities have wide discretion over the types of vehicle they licence and that normally the best practice is for local authorities to adopt the principle of specifying as many different types of vehicle as possible whilst setting down a range of general criteria for those vehicles to meet before being accepted as Hackney or Private Hire vehicles.
- 1.1.7 The following table shows the present colour requirements of other authorities in Kent and Medway:

Authority	White	White availability concerns	Black	Not Specified	Notes
TMBC					
Tunbridge Wells					
Sevenoaks					2
Medway					
Shepway					
Thanet					
Swale					1
Ashford					
Dartford					
Canterbury					3
Gravesham					
Dover					
Maidstone					4

**Notes:**

1. Issue has been considered at committee – decided to stay White.
  2. Issue has been considered at committee – decided NOT to adopt White only policy.
  3. London Style – any colour except White. Saloons etc Dark Red, Dark Blue or Black.
  4. London taxi style vehicle required any colour.
- 1.1.8 On balance I do not feel that permitting silver coloured Hackney vehicles will be detrimental and I therefore **recommend** that Members consider a change in policy to permit silver coloured Hackney Carriages subject to them permanently displaying, the appropriate Council door logos.

## 1.2 Legal Implications

1.2.1 None

**1.3 Financial and Value for Money Considerations**

1.3.1 Not applicable

**1.4 Risk Assessment**

1.4.1 Not applicable

**1.5 Recommendation**

1.5.1 That Members consider a change in policy to permit silver coloured Hackney Carriages subject to them displaying permanently, the appropriate Council door logos.

Background papers:

contact: Melvyn Wood

Letters from Kings Hill Taxis

Duncan Robinson  
Chief Solicitor