

Cheltenham Borough Council
Director of Environmental & Regulatory Services – 10 October
2014

Uniform Colour for Licensed Hackney Carriage vehicles

Accountable member	Cabinet Member of Development and Safety, Cllr Andrew McKinlay
Accountable officer	Director of Environmental & Regulatory Services, Mike Redman
Ward(s) affected	All
Key Decision	No
Executive summary	<p>On the 15th of July 2014 Cabinet approved amendments to the Council's licensing policy in relation to the licensing of vehicles, drivers and Private Hire operators including a decision in principle to adopt a uniform colour for licensed Hackney Carriage vehicles subject to further consultation with the trade.</p> <p>Consultation has now been undertaken and this report outlines the feedback received and seeks approval for the preferred uniform colour and policy implementation date.</p>
Recommendations	<ol style="list-style-type: none"> 1. That the uniform colour in respect of licensed Hackney Carriages should be silver; and 2. That the policy requirement be implemented three months from the date the proposed uniform colour is approved.

Financial implications	<p>There are no financial implications to the council, arising from this report.</p> <p>Contact officer: Sarah Didcote, Sarah.Didcote@cheltenham.gov.uk, 01242 264 125</p>
Legal implications	<p>The Council enjoys a wide discretion under the Town Police Clauses Act 1847 with regard to which vehicles it will licence as far as age, size, type and colour are concerned.</p> <p>Contact officer: Vikki Fennell, Vikki.Fennell@tewkesbury.gov.uk, 01684 272015</p>
HR implications (including learning and organisational development)	<p>There are no HR implications arising from this report.</p> <p>Contact officer: Richard Hall, Richard.Hall@cheltenham.gov.uk, 01594 812634</p>
Key risks	As identified in Appendix 1

Corporate and community plan Implications	Enhancing and protecting our environment Strengthening our economy Strengthening our communities
Environmental and climate change implications	None
Property/Asset Implications	None Contact officer: David Roberts@cheltenham.gov.uk

1. Background

- 1.1 On the 15th of July 2014 Cabinet approved amendments to the Council's licensing policy in relation to the licensing of vehicles, drivers and Private Hire operators.
- 1.2 The decision of the 15th of July 2014 also included a decision in principle for the Council to adopt a uniform colour for licensed Hackney Carriage vehicles subject to further consultation with the trade.
- 1.3 Finally, Cabinet resolved to delegate authority to the Director of Environmental & Regulatory Services, in consultation with the Cabinet Member of Development and Safety, to approve a colour and an implementation date for the uniform colour scheme policy following the further consultation.
- 1.4 Consultation has now been undertaken and this report outlines the feedback received.

2. Uniform Colour Policy

- 2.1 The Council has stated that its reasons for seeking to impose a uniform colour policy in respect of licensed Hackney Carriage vehicles was to:
 1. clearly distinguish Hackney Carriages from other licensed vehicles; and
 2. to improve the appearance of the public hire licensed fleet.
- 2.2 The Council has made it clear that in order to limit the impact of this policy on the licensed trade:
 1. the implementation will be gradual, i.e. as and when licensed vehicles are replaced; and
 2. the adopted colour must be one that is widely available.

3. Consultation Feedback

- 3.1 Consultation was undertaken with the licensed trade for a period of 4 weeks between September and October 2014.
- 3.2 In total 163 responses were received, 162 from licensed Hackney Carriage drivers and 1 from a Private Hire driver. The 162 responses represent 57% of the licensed Hackney Carriage trade of which there is currently a total of 282 licensed Hackney Carriage drivers.
- 3.3 There was an overwhelming 95% (154) of respondents who were in support of silver with 1% (2) preferring white and only 1 respondent opting for black. The remaining number of respondents did not indicate any preference.
- 3.4 In terms of the proposed implementation date, only 4 respondents disagreed with the proposed three months lead time for the uniform colour policy implementation.
- 3.5 Taking into account the above, it is therefore proposed that silver should be approved as the appropriate uniform colour for licensed Hackney Carriages and that this requirement be implemented three months effective from the date the proposed uniform colour is approved, subject to the decision not being called in.

4. Reasons for recommendations

- 4.1 To implement Cabinet resolution of 15 July 2014 "Review of Licensing Policy, Guidance and Conditions for Private Hire and Taxis" delegating authority to the Director of Environmental & Regulatory Services, in consultation with the Cabinet Member of Development and Safety, to

approve a colour and an implementation date for the uniform colour scheme policy following the further consultation.

5. Alternative options considered

- 5.1 The Council can choose not to approve a uniform colour but since the Council has already adopted this policy in principle this is not a realistic alternative option.

6. Consultation and feedback

- 6.1 As outlined in this report.

Report author	Contact officer: Louis Krog, Licensing & Business Support Team Leader louis.krog@cheltenham.gov.uk, 01242 77 4217
Appendices	1. Risk Assessment
Background information	1. Officer's report and minutes, Cabinet on 15 July 2014 2. Copies of responses received

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the Council fails to give due regard to the consultation feedback, it has the potential to undermine confidence in the local democratic process.	Director of Environmental & Regulatory Services	10/10/14	2	4	8	Accept	Adopt resolutions		Director of Environmental & Regulatory Services	
	If the Council fails to approve a uniform colour it risks undermining the uniform colour policy that has already been approved by Cabinet.	Director of Environmental & Regulatory Services	10/10/14	2	4	8	Accept	Adopt resolutions		Director of Environmental & Regulatory Services	
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											