

Report Title:	Hackney Carriage Livery – Options for Change for Electric and Hybrid Vehicles
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Werner, Cabinet Member for Public Protection
Meeting and Date:	Licensing Panel 16 October 2023
Responsible Officer(s):	Andrew Durrant, Executive Director of Place Services & Amanda Gregory, Assistant Director of Housing, Environmental Health & Trading Standards
Wards affected:	All

REPORT SUMMARY

All new RBWM licenced hackney carriages (taxis) are required to be white with purple colouring and a large RBWM coat of arms, known together as the livery. They are also required to be wheelchair accessible.

This report considers whether the livery requirement should be amended or removed for electric and hybrid hackney carriages as an encouragement to move away from fossil fuelled vehicles, whilst maintaining public confidence and the requirements of wheelchair accessibility.

DETAILS OF RECOMMENDATION(S)

RECOMMENDATIONS: That the Licensing Panel notes the report and:

- i) **Agrees that research should be conducted into the availability and cost of electric and hybrid hackney carriages, and whether the models available comply with requirements for wheelchair accessibility**
- ii) **Agrees that consultation should be conducted with hackney carriage drivers and all other interested parties as to possible changes to the livery on electric and hybrid vehicles, and**
- iii) **Agrees that the results of the research, the consultation and options for changes to the livery on electric and hybrid hackney carriages, be brought to the next Licensing Panel meeting on 13 February 2024**

1. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option 1	Comments
i) Research be conducted into the availability and cost of electric and hybrid hackney carriages, whether the models available comply with requirements for wheelchair accessibility, and the availability of charging points for electric vehicles	The research and consultation will provide evidence on which the Licensing Panel will be able to make informed decisions about any potential changes to the livery on RBWM licenced

Option 1	Comments
ii) Consultation be conducted with hackney carriage drivers and all other interested parties as to possible changes to the livery on electric and hybrid vehicles iii) The results of the research, the consultation and options for changes to the livery on electric and hybrid hackney carriages, be brought to the next Licensing Panel meeting on 13 February 2024 This is the recommended option	hackney carriages if drivers move to electric or hybrid vehicles. This will also provide evidence to support decision making in respect of longer term moves away from fossil fuelled hackney carriages to electric or hybrid vehicles.
Do Nothing	The status quo will be maintained in respect of the livery on RBWM licenced hackney carriages and no information or data will be compiled in respect of the availability and cost of electric and hybrid hackney carriages

- 1.1 The requirement for RBWM licenced hackney carriages to be white and have a specified livery (ie a purple bonnet and boot and a large RBWM coat of arms) was introduced in 2012.
- 1.2 Failure to adhere to this requirement is a contravention of the Hackney Carriage Driver and Vehicle Policy & Conditions and so may result in enforcement action against the driver or owner of the vehicle.
- 1.3 The primary purpose of licensing hackney carriages (and private hire vehicles) is to ensure the safety of passengers and other road users. The livery was introduced for hackney carriages to play a part in this by providing an extra level of security for passengers who would be more comfortable using a liveried vehicle, clearly identifiable as licenced by the Royal Borough, as against an unmarked hackney or private hire vehicle.
- 1.4 The livery also gives RBWM licenced hackney carriages a unique appearance in comparison with traditional black taxis, makes them readily identifiable to residents and visitors to RBWM who may not be familiar with the differences between hackney carriages and private hire vehicles, and provides a smart and uniform appearance.
- 1.5 The livery has always been unpopular with drivers mainly because of the costs of having it applied and because, the drivers say, the livery reduces the amount of private work that they can get because potential clients might be put off by the livery.
- 1.6 On a number of occasions the drivers have requested that the requirement for the livery be removed or relaxed. This has been rejected by successive Licensing Panels.

- 1.7 There will be a need to move RBWM licenced hackney carriages (and private hire vehicles) away from fossil fuelled vehicles to electric vehicles or hybrids for environmental and reputational purposes, as well as to tie in with updated government targets of banning the sale of new petrol and diesel cars in the UK from 2035.
- 1.8 That can be considered in detail at a later date but a step in that direction may be an opportunity allow some changes or relaxation of the current livery requirements for drivers who move now from using a fossil fuelled vehicle to an electric or hybrid vehicle.
- 1.9 For example, the RBWM Hackney Carriage Driver and Vehicle Policy & Conditions could be amended such that the livery requirement is changed, reduced or removed entirely for electric or hybrid vehicles.
- 1.10 If this were adopted, perhaps other markings on the vehicle to indicate that it is an electric or hybrid vehicle could be considered as a visual demonstration that RBWM is moving away from fossil fuelled vehicles.
- 1.11 This would remove all of the objections that the drivers have to the livery and encourage them to move to an electric or hybrid vehicle.
- 1.12 This would, however, depend upon the availability and cost of electric and hybrid hackney carriages. The cost is likely to be substantial and so amendments to the livery may not be a sufficient incentive for drivers to move to an electric or hybrid vehicle.
- 1.13 The availability of charging points for electric vehicles also needs to be taken into consideration as this will have a practical impact on whether drivers can move to using electric vehicles at this time.
- 1.14 It is also essential that the requirement for hackney carriages to be wheelchair accessible is maintained.
- 1.15 Research is needed to establish the availability and cost of electric and hybrid hackney carriage vehicles, whether the vehicles are wheelchair accessible and the current and projected availability of charging points.
- 1.16 Consultation with the drivers and all other stakeholders on these matters is required.
- 1.17 Options for changes to the livery requirement for electric and hybrid hackney carriage vehicles need to be considered and options provided to the Licensing Panel.
- 1.18 Members of the Licensing Panel are asked to agree the three Recommendations set out at the start of this report.

2. KEY IMPLICATIONS

- 2.1 The Recommendations in this report are a first step towards major changes to the type of vehicle that RBWM will consider for licensing as hackney carriages (and by implication, private hire vehicles) as we move away from fossil fuelled

vehicles to electric or hybrid vehicles. They will be considered in more detail in future reports.

3. FINANCIAL DETAILS / VALUE FOR MONEY

3.1 None for RBWM at this time.

4. LEGAL IMPLICATIONS

4.1 A licensing authority may attach to the grant of a hackney carriage vehicle licence such conditions as they may consider reasonably necessary, and this includes the requirement for vehicles to have a certain appearance or livery (by virtue of section 47 of the Local Government (Miscellaneous Provisions) Act 1976).

5. RISK MANAGEMENT

5.1 No risks have been identified at this time.

6. POTENTIAL IMPACTS

6.1 Equalities. An Equality Impact Assessment is available as Appendix A.

6.2 Climate change/sustainability. This report will have no immediate effect in respect of climate change and sustainability. However, it may lead to actions which have such an impact should the report recommendations lead to changes which encourage the replacement of fossil fuelled licenced hackney carriage with electric or hybrid vehicles. This will be set out in more detail in subsequent reports.

6.3 Data Protection/GDPR. This report has no data protection / GDPR implications as there will be no changes to existing procedures in this respect.

7. CONSULTATION

7.1 Recommendation (ii) of this report is that the proposals herein are consulted on to provide the next meeting of the Licensing Panel with evidence and data on which to base decisions about any potential changes to the livery on RBWM licenced hackney carriages if drivers move to electric or hybrid vehicles.

7.2 The new RBWM Engagement Framework will be used in the consultation process.

8. TIMETABLE FOR IMPLEMENTATION

8.1 The full implementation stages are set out in table 3

Table 3: Implementation timetable

Date	Details
13/02/2024	This is the date of the next Licensing Panel at which the results of the research and consultation in Recommendation (ii) and options for changes can be presented to Panel members

9. APPENDICES

- 9.1 This report is supported by 1 appendix:
- Appendix A – Equality Impact Assessment

10. BACKGROUND DOCUMENTS

- 10.1 This report is supported by 1 background document:
- Current RBWM hackney carriage driver and vehicle policy can be found at https://www.rbwm.gov.uk/sites/default/files/2023-07/licensing_hackney_driver_vehicle_policy_conditions.pdf

11. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officer (or deputy)</i>			
Elizabeth Griffiths	Executive Director of Resources & S151 Officer	21/09/23	
Elaine Browne	Deputy Director of Law & Governance & Monitoring Officer	21/09/23	22/09/23
<i>Deputies:</i>			
Andrew Vallance	Deputy Director of Finance & Deputy S151 Officer		
Jane Cryer	Principal Lawyer & Deputy Monitoring Officer		
<i>Mandatory: Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract</i>			
Lyn Hitchinson	Procurement Manager	21/09/23	04/10/23
<i>Mandatory: Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA</i>			
Samantha Wootton	Data Protection Officer	21/09/23	
<i>Mandatory: Equalities Officer – to advise on EQiA, or agree an EQiA is not required</i>			
Ellen McManus-Fry	Equalities & Engagement Officer	21/09/23	21/09/23
<i>Other consultees:</i>			

<i>Directors (where relevant)</i>			
Andrew Durrant	Executive Director of Place	21/09/23	
<i>Assistant Directors (where relevant)</i>			
Amanda Gregory	Assistant Director of Housing, EH and TS (<i>not in post at time of writing</i>)		
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Cllr Werner, Cabinet Member for Public Protection	Yes
	Cllr Brar, Chair of the Licensing Panel	Yes

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Licensing Panel decision	No	No

Report Author: Greg Nelson, Trading Standards & Licensing Manager, 07970 446 526
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Appendix A

Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact equality@rbwm.gov.uk

www.rbwm.gov.uk



1. Background Information

Title of policy/strategy/plan:	Hackney Carriage Livery – Options for Change for Electric and Hybrid Vehicles
Service area:	Housing, Environmental Health & Trading Standards
Directorate:	Place

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

The proposal is that research should be conducted into the availability and cost of electric and hybrid hackney carriages, and whether the models available comply with requirements for wheelchair accessibility

The intention is, that if such vehicles are available, changes be made to the current livery requirements on hackney carriages for those drivers who switch to an electric or hybrid vehicle

It is also proposed that consultation and engagement be conducted with hackney carriage drivers and all other interested parties to ascertain their views and get their sign up to the possible changes to the livery requirement

This will be delivered by RBWM Licensing

This is a new proposal

2. Relevance Check

Is this proposal likely to directly impact people, communities or RBWM employees?

- If No, please explain why not, including how you have considered equality issues.
- Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

The proposal will have a direct effect on RBWM licenced hackney carriage drivers

The proposal must not affect the requirement that new hackney carriages are wheelchair accessible

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

3. Evidence Gathering and Stakeholder Engagement

<p>Who will be affected by this proposal? For example, users of a particular service, residents of a geographical area, staff</p>
<p>The proposal will have a direct effect on RBWM licenced hackney carriage drivers as they will have the opportunity to benefit from possible changes to the current livery requirements on hackney carriages, which the drivers have long campaigned against</p> <p>At present all new hackney carriages are required to be wheelchair accessible. The intention is that this requirement is not changed so there should be no effect on the accessibility of hackney carriages for wheelchair users</p>
<p>Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) disproportionately represented? For example, compared to the general population do a higher proportion have disabilities?</p>
<p>The protected characteristic race will be disproportionately represented by this proposal as a very high percentage of RBWM licenced hackney carriage drivers are from ethnic minorities</p>
<p>What engagement/consultation has been undertaken or planned?</p> <ul style="list-style-type: none">• How has/will equality considerations be taken into account?• Where known, what were the outcomes of this engagement?
<p>One of the recommendations of this proposal is a consultation with all affected parties, specifically including RBWM licenced hackney carriage drivers</p>
<p>What sources of data and evidence have been used in this assessment? Please consult the Equalities Evidence Grid for relevant data. Examples of other possible sources of information are in the Guidance document.</p>
<p>The main source of information is the records held by RBWM Licensing which shows the high number of drivers affected being from ethnic minorities</p>

4. Equality Analysis

Please detail, **using supporting evidence**:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age		Not Applicable	Not Applicable
Disability	At present all new hackney carriages are required to be wheelchair accessible. The intention is that this requirement is not changed so there should be no effect on the accessibility to hackney carriages for wheelchair users	Not Applicable	Not Applicable
Sex		Not Applicable	Not Applicable
Race, ethnicity and religion	Changes to the livery requirements is likely to have a disproportionate impact on drivers who are from ethnic minorities, and from a particular religion, because a high proportion of licenced drivers are from ethnic minorities and particular religions.	Changes to the livery requirements, in particular the reduction or removal of the requirement, will be welcomed by the drivers	
Sexual orientation and gender reassignment		Not Applicable	Not Applicable
Pregnancy and maternity		Not Applicable	Not Applicable
Marriage and civil partnership		Not Applicable	Not Applicable
Armed forces community		Not Applicable	Not Applicable
Socio-economic considerations e.g. low income, poverty		Not Applicable	Not Applicable
Children in care/Care leavers		Not Applicable	Not Applicable

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it?

For example, adjustments needed to accommodate the needs of a particular group

There will be a consultation and engagement process before the proposals are implemented. This will allow explanations to be given as to how the drivers affected will benefit from the proposed changes

Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?

- For planned future actions, provide the name of the responsible individual and the target date for implementation.

N/A

How will the equality impacts identified here be monitored and reviewed in the future?

See guidance document for examples of appropriate stages to review an EQIA.

The uptake of electric and hybrid hackney carriages will be monitored annually

6. Sign Off

Completed by: Greg Nelson	Date: 18/09/2023
Approved by:	Date:

If this version of the EQIA has been reviewed and/or updated:

Reviewed by:	Date:
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