

## Appendix B

### Private Hire vehicle conditions (including wheelchair accessible vehicles, vehicle age criteria, livery, signs and markings): Email Responses

<b>Response From:</b>	<b>Response Details:</b>	<b>Officer Response:</b>	<b>Change to policy:</b>
Private Hire Driver	<p>The last few Private Hire/ Taxi vehicles which I used to move around the city, were, dare I say, in desperate need of a clean and vacuum.</p> <p>It is a poor state of affairs that such vehicles are allowed to operate in a major city without more stringent inspection.</p> <p>Whilst the weather has been extremely wet, I could excuse the dirty exteriors, but that is no excuse for the unpleasant smelling and grubby interiors.</p>	<p>Licensed vehicle proprietors are required to maintain their vehicle to an acceptable standard as per the condition upon their licence.</p> <p>Officers inspect vehicles in line the following priorities;</p> <ol style="list-style-type: none"><li>1) When first licensed</li><li>2) When transferred</li><li>3) To apply for an extension to the age criteria</li></ol> <p>It is the intention that the Section will review our inspection regime to begin inspecting by age of the vehicle i.e. older vehicles will be inspected.</p> <p>In addition, compliance checks are carried out on the street, which include inspection of the interior, and vehicles may be suspended where they fail to meet their licence conditions.</p>	None.

<p>Council Licensing Officer</p>	<p>I received a query about minimum nominal engine capacity requirement for PHV. I looked through the Standard conditions attached to private hire vehicle and could not find anything written in the booklet regarding the above matter.</p> <p>Later I had a word with Phil Hatch and Phil kindly explained to me that the above matter is mentioned in the pre conditions which are located in the shared drive.</p> <p>I think for an easier access to the condition it should be included in the Standard conditions attached to private hire vehicle booklet and will help drivers to learn this condition prior to obtaining their PHD licence as Standard conditions attached to private hire vehicle are part of the seminar.</p>	<p>Officers will move this pre-condition into the standard conditions for ease of reference.</p>	<p>Move the pre-condition into the standard conditions.</p>
<p>Council Vehicle Examiner</p>	<p>Just found a PHV condition (Original conditions) 1(d)</p> <p>I think this should be in the pre conditions and also in the HCV saloon conditions</p> <p>1. TYPE OF VEHICLE (d) Of such capacity as to carry a minimum of four passengers, with provision for one passenger seated beside the driver, and three passengers occupying the rear seats, which shall provide a minimum width of 16 inches for each passenger.</p>	<p>This condition was removed from the standard private hire vehicle conditions as the minimum of four passengers is restricting to the trade.</p> <p>However, Officers agree that the minimum width of 16 inches for each passengers should be retained and included within the pre-conditions to the grant of a licence.</p>	<p>Move to the pre-conditions.</p>

<p>Private Hire Operator</p>	<p>Dear Sir</p> <p>We would like to respond to the consultation upon Private Hire Vehicle Conditions.</p> <p>Specifically we would like to see greater flexibility in the use of livery for Private Hire Vehicles. We understand that the highest standards of presentation have to be maintained in the industry, especially since Taxis and Private Hire vehicles are often ambassadors of the city. We also accept that it has to be clear that vehicles are currently licensed by Leeds City Council.</p> <p>Currently no livery, except that issued by the Council is permitted on the vehicle. We would like to request that some flexibility is introduced to the licensing of additional vehicle livery. In addition to the mandatory licensing stickers we ask that additional livery be considered acceptable if it particular applications satisfied the discretion of the Licensing department.</p> <p>Private Hire Operators could submit applications for such designs and a decision could be made on the merits of each proposal. This system could also be regulated by certain specifications relating to size and location etc of any additional livery.</p> <p>Whilst any movement away from the current</p>	<p>Livery attached to all licensed vehicles is strictly controlled by the Council.</p> <p>With reference to 'corporate wraps', members of the Licensing and Regulatory Panel previously approved the use of advertising in the form of 'Corporate Livery' on new wheelchair accessible Hackney Carriages to assist Hackney Carriage Proprietors offset the initial costs of purchase.</p> <p>This decision was taken for Hackney carriage vehicles alone to avoid any confusion between the Hackney carriage and private hire trade amongst the travelling public of Leeds.</p>	<p>None.</p>
------------------------------	--	---	--------------

	<p>conditions relating to vehicle livery must be taken cautiously, branded vehicle livery can indeed be a beneficial aspect of a vehicle's appearance without distracting from the licensing plates or stickers. With the right conditions, decisions on what is acceptable can be made on a case by case basis.</p> <p>I trust that this proposal is of interest to the Council. Please do not hesitate to contact me should you wish to discuss this proposal further.</p>		
<p>Unite the Union</p>	<p><b>VEHICLE AGE CRITERIA:</b>  Unite agrees with an age criteria relating to the working life of both Hackney Carriages and Private Hire vehicles in Leeds.</p> <p>The current fleet of almost 5000 licensed Hackney Carriage and Private Hire serving a populous of just over 1 million within the estimated 300 Sq Miles that the city covers.</p> <p>We do however suggest that an age criteria should be differentially adopted between that of a 'saloon type' vehicle and 'wheelchair accessible' vehicle specifically in the Hackney Carriage trade.</p> <p>We also feel that vehicles operating in the Private Hire sector should be limited to an equal age limit, but that vehicles operating on a</p>	<p>The age criteria is already different between saloon type vehicles (7 years) and wheelchair accessible vehicles (8 years).</p> <p>All proprietors have the option to aim for an extension to the age criteria if their vehicle can meet the required criteria including a full</p>	<p>None.</p>

	<p>lesser level as wheelchair accessible should be classified as 'saloon type' in that they perform less duties as opposed to wheelchair accessible Hackney Carriages within the city.</p> <p>While we agree that age criteria should apply to both wheelchair accessible and saloon type in the hackney carriage sector, we feel that the current differential does not take fully into account that saloon type vehicles are predominantly used as ordinary passenger vehicles and that of wheelchair accessible are not an everyday ordinary family vehicle, but that of a purpose built type in construction or variant thereof.</p> <p>It is clear that a purpose built or variant of wheelchair accessible vehicle will and does have a much better working life expectancy over that of saloon types vehicles due to the general durability of components used in the manufacture or replacement of such.</p> <p>We cannot overlook the cost element of replacement of a like for like vehicle. Ranging from approx £4,000 up to £12,000 for a saloon type vehicle, to between £16,000 up to £32,000 for a wheelchair accessible vehicle. Maintenance and service costs applicable to both are also considering factors with the respect clearly on investment in the vehicle as far as running costs.</p>	<p>service history as per the manufacturer's standards.</p> <p>The Taxi and Private Hire Licensing Section offer guidance to all proprietors as to how this can be achieved.</p>	
--	---	--	--

	<p>Over the current 8 year period which is your current base standard (rising annually after passing an 'exceptional condition' test) on both types of hackney carriage vehicles it can be as much if not more than approx £88,000 on fuel in cost and as much as £8,000 on servicing for running costs for a wheelchair accessible vehicle. Whereas a saloon type vehicle would have significantly less running costs with the current largest engine vehicle estimated to run at £57,000 over the period for fuel and £4,000 on servicing.</p> <p>This being largely due to the ability to have a saloon type vehicle serviced at any garage of choice and not that of a specific national dealer type garage with inflated costs.</p> <p>Taken over the 8 years the levels of investment in one over the other equates to approx £96,000 (wheelchair accessible vehicle) and £61,000 (saloon type vehicle). A huge difference of approximately £35,000 based on current running costs compared from users of both types.</p> <p>This is the most compelling reason and argument over the current age criteria being that it is disproportionate between the two types currently in service. These comparative figures do not take into account financial payments</p>	<p>Extensive research was carried out between 2005 – 2009 in relation to the age criteria condition.</p> <p>These statistics were presented to the then</p>	
--	--	---	--

	<p>made on the purchase of either type of vehicle either which would see the top end price for a wheelchair accessible vehicle to rise from £32,000 to roughly upwards of £36,000.</p> <p>It is also evident that a wheelchair accessible vehicle is also in a unique position to carry an advertising livery, which aids the bodywork to remain in relatively pristine condition, giving the life expectancy a greater possibility over that of the saloon type.</p> <p>Unite urge and welcome an increase in the age criteria for wheelchair accessible vehicles to be equal to that of other UK cities which operate similar or identical vehicles, but which they offer a fifteen-year limit. Specific relation to cities such as London (which has just set its age criteria), Birmingham and Sheffield.</p> <p>An increase in the age criteria for saloon vehicles would also be welcomed, but not equal to that of the wheelchair accessible vehicles being that saloon vehicles are not purpose built for the job.</p> <p><b>ADVERTISING LIVERY:</b> Advertising livery has existed now in Leeds for a decade and was wholeheartedly welcomed by taxi drivers as it brought Leeds up to equivalence with other core cities where it had been cited prior.</p>	<p>Licensing and Regulatory Panel who made a decision which resulted in the current age criteria condition coming into effect.</p> <p>It will take a further three years for the Section to undertake further research – to inspect all vehicles falling within a specified age range.</p> <p>Officers will agree to review the age criteria condition again in three years time after completion of the research.</p>	<p>Officers recommend a shorter period of review – 3 years – for the age criteria condition.</p>
--	---	--	--

	<p>Sadly and most confusingly is the question why there has always existed a time limit on such liveries to be placed on vehicles to which they can be carried for the advertising client.</p> <p>It is a strange anomaly that a vehicle running a livery, which is concurrent, can run that advert indefinitely irrespective of its age and yet a vehicle reaching a 5-year age limit must be produced for inspection to ascertain its viability to carry a further advert. Whilst it could be argued that the bodywork must be suitable for the advert to be placed on the vehicle, it is also arguable that of all the advertising agencies consulted (VPFS, Verifone, Ubiquitous, Clear Channel) etc, not one has stated that less than pristine or exceptional condition to the bodywork would prevent them from placing such an advert on such a vehicle.</p> <p>Moreover, it is arguable that with the limit raised it would further add the following benefits:</p> <p>A: An improved condition fleet</p> <p>B: Greater probabilities of an owner replacing a like-for-like vehicle come such time. This subsequently contributing to retaining a level of 5/6 seat vehicles within the hackney carriage fleet.</p> <p>C: Would improve owner income from an</p>	<p>There is always an opportunity for Officers to allow a variation to the policy i.e. vehicles must be inspected and deemed to be in a suitable condition.</p> <p>The time limit is in place to allow Officers the opportunity to ensure that a corporate wrap is not being used to cover up poor body work.</p>	
--	--	---	--



	<p>improved business perspective. Offering a viable incentive for owners continuing in such vehicles, especially in these uncertain economic times.</p> <p>D: Would increase the likelihood of local corporate business advertising their own brand and therefore assisting the local economy through this medium, which is seen by many national and international visitors on a daily basis. This current view is taken from comments made by a current media advertiser carrying adverts on hackney carriages in the city.</p> <p>It is further arguable that with the additional years advertising that it would also increase the council's budgetary fiscal input to the department. It would be acceptable if the limit were to be raised for, the fee equal to that of a new application be charged for both new applications and renewals alike.</p> <p>Equating this to one vehicle, alone it could provide an additional income to the department of £200 over an additional 5-year period. Were the advertising to be allowed to match any future recommendation with respect to increase in age and were it to be equal to that of other core cities mentioned in item 1 then it would further increase the income to the department.</p>	<p>This would make no difference to the Taxi and Private Hire Licensing Section as we are not permitted to make a profit from the service/s that we provide.</p>	
--	--	--	--

Given that current responses from advertising companies suggest that they are currently only planning advertisements on London Taxi TX4's and Euro cab E7's, it would suggest that those vehicles already hailed by disability groups as 'ideal vehicles' would show an increase in the fleet.

Unite would welcome and urge an increase in the advertising livery age to a maximum no greater than the age applied to such vehicles available to carry advertising currently.

**HACKNEY CARRIAGE AND PRIVATE HIRE LIVERY:**

Leeds is one of many authorities, which sees the need to use a specific livery to identify its own Hackney Carriages to those of the other neighbouring ones (Bradford, Harrogate etc).

The livery used for Hackney Carriages in Leeds has been around for many decades, originally being all 'black cabs' in line with other cities. It has served the user in Leeds well in that they have and do still recognise the distinctive black bonnet and boot and white body with that of Leeds.

The current livery and vehicle mixture of saloons being adopted after a survey of Leeds residents back in the early 1970's, with the predominance of salon vehicles being the case

	<p>100% up until approximately 1992 when a saloon vehicle changed to a wheelchair accessible one, bucking the trend over the preceding two decades and being a precursory launching platform for the return of purpose built taxis back in 1994/5.</p> <p>However, it is clearly stated in the Local Government Miscellaneous Provisions Act 1976, that no vehicle must be of the “same shape, design or colour as to indicate to the public that they are a Hackney Carriage”.</p> <p>Unfortunately, recently decisions were made to allow private hire to firstly use ‘same design’ vehicles and then to further allow them to become ‘all black’.</p> <p>Unite do not agree with these policies and believe that they are misleading in their very nature to both the local users, but more so to that of the visitors to the city.</p> <p>While it can be argued that no one has complained regarding this nature, it can also be argued as to how many have actually hailed one of these vehicles, been picked up without the knowledge that they were not in fact licensed as Hackney Carriages and subsequently been transported without adequate insurance coverage.</p>	<p>The conditions that the Council has in place clearly defines and demonstrates to the public that there is a difference between Hackney carriage vehicles and private hire vehicles.</p> <p>Bournemouth BC [R] v Thompson &amp; Anor Held; That it was for a Council to decide if ‘in the locality’ a vehicle produced for PHV licensing appeared to be a Hackney Carriage.</p>	
--	--	---	--

	<p>Unite are concerned that the very nature of the meaning of what is a Hackney Carriage is being blurred and that clear definitive's exist to clarify that very blurring, that being the Local Miscellaneous Provision Act 1976 and its full interpretation and implementation.</p> <p>Legislation and the inception of the LGMP Act 1976 was to prevent users becoming void to the types of vehicles available at their disposal and the misrepresentation of such.</p> <p>Therefore, Unite suggests neither the same design or shape or colour, whether it be black or white or a combination of either, be further allowed to continue to be used in the Private Hire sector and should be actioned from this consultation.</p> <p>It should remain within the councils remit to retain the right to implement the choice to return to an all black hackney fleet should it so decide. This recent alteration does not allow for that very idea and would be a compelling argument for its revocation of use in the Private Hire sector with immediate effect.</p> <p>Unite cannot and does not condone the use of these decisions. There must always be a distinction between Hackney Carriages and Private Hire to afford the user the safe knowledge as to which type of vehicle they are</p>		
--	--	--	--

	<p>in fact entering into, either by hailing, from a rank or via telephone in respect of Private Hiring's.</p> <p>Unite does not accept that an argument would be that Private Hire need to use the same wheelchair accessible vehicles and as such see a relaxation of the LGMP Act 1976 as a proviso for such. Given that currently only approximately 1% of the Private Hire fleet in Leeds are currently accessible to that of almost 60% of the Hackney Carriage fleet.</p> <p>Unite urges via this consultation to remove this flagrant misuse and misinterpretation of the Local Government Miscellaneous Provisions Act 1976 and ensure that the clear definition of distinctions be maintained.</p> <p>We would welcome the responses in this report to be taken as part of the consultation process with regard to the points raised and that serious consideration will be given to those very points. We look forward to the final findings and eventual report from this consultation process being made available.</p>	<p>This would restrict the private hire vehicle market as well as reducing the equality provision which the private hire fleet contribute to.</p> <p>The livery on vehicles clearly distinguishes between Hackney carriage and private hire vehicles.</p> <p>Additionally, the conditions continue to prevent the licensing of 'London Cab' style taxis i.e. TX series for the purpose of working as a private hire vehicle.</p>	
--	---	--	--

--	--	--	--