

REGULATORY AND APPEALS COMMITTEE – 16 MARCH 2018

Title of paper:	Review of existing Hackney Carriage and Private Hire Advertising Policy		
Director:	Andrew Errington Director – Community Protection	Wards affected: ALL	
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Date of consultation with Portfolio Holder:	N/A		
Relevant Council Plan Key Theme:			
Strategic Regeneration and Development			<input type="checkbox"/>
Schools			<input type="checkbox"/>
Planning and Housing			<input type="checkbox"/>
Community Services			<input type="checkbox"/>
Energy, Sustainability and Customer			<input checked="" type="checkbox"/>
Jobs, Growth and Transport			<input checked="" type="checkbox"/>
Adults, Health and Community Sector			<input type="checkbox"/>
Children, Early Intervention and Early Years			<input type="checkbox"/>
Leisure and Culture			<input type="checkbox"/>
Resources and Neighbourhood Regeneration			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
<p>This report asks members to adopt a revised policy for advertisements which it will permit to be displayed on Hackney Carriages. There is also the consideration for allowing Private Hire Vehicles to display any application logo.</p>			
Recommendation:			
1	That the revised Hackney Carriage and Private Hire Advertising Policy (appendix 1) be approved as a replacement for the existing policy (appendix 2) with immediate effect.		

1 REASONS FOR RECOMMENDATIONS

- 1.1 The new policy clearly sets out the requirements of Nottingham City Council and will aide in providing uniformity to vehicles which in turn helps to create a safe, recognisable identification for the public travelling in and around the City.
- 1.2 It is proposed that such restrictions are imposed to ensure a clear distinction between Hackney Carriage and Private Hire vehicles licensed by Nottingham City Council.

- 1.3 The proposals in this report relate specifically to the Hackney Carriage fleet and have been designed to ensure that vehicles are not cluttered with advertisements but do give hackney carriage owners the ability to use the vehicle to advertise and maximise their income opportunities. Any advertising should not detract from the registration plates attached to the front and rear, nor any internal regulatory displays, all of which are the main source of information to customers and enforcers.
- 1.4 In that, it is proposed that a more liberal approach be taken towards advertising, such as side and full wraps, the integrity of safety and other regulations, such as advertising regulations, should not be compromised.
- 1.5 Internal advertisements will also be allowed provided they do not detract service users from the regulatory information displayed. Such advertisements may be displayed by electronic equipment sited either within the passenger cabin or on the roof of the hackney vehicle.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The Local Government (Miscellaneous Provisions) Act 1976 permits Councils to control the appearance of both Hackney Carriages and Private Hire Vehicles and to attach such conditions to the vehicle licences as it sees fit.
- 2.2 The Council adopted its current policy for advertising at a meeting of this Committee on 24 September 2012 (appendix 2).
- 2.3 The Hackney Carriage trade in Nottingham are very rank reliant by nature and are therefore restricted insofar as availability of more commercial business options and technological improvements.
- 2.4 Since the approval of the existing policy, Nottingham City Council has encouraged the use of the 'MyTaxi' ride hailing application to assist in increasing the business offer to the Hackney Carriage Drivers. Details regarding the types of business improvements and initiatives can be found in the Hackney Carriage & Private Hire Strategy. An additional benefit would be for the driver to advertise the application on his vehicle so the public are aware of the provision.
- 2.5 Changes to the existing policy are also required to enable the drivers to take advantage of further funding opportunities by way of advertising, the content of which, if approved, would be monitored by Nottingham City Council to ensure compliance and propriety.
- 2.6 At a time when the Hackney Carriage vehicles are undergoing a re-branding with drivers spending between £40,000 and £65,000 on new vehicles to uplift the reputation of the fleet, requests have been made by trade organisations and existing drivers to consider all options supporting such development.
- 2.7 A revised Advertising Policy is attached at Appendix 1 and incorporates additional requirements for the Hackney Carriage trade. Approval will be given for advertising which is in compliance with the policy but flexibility will be retained to depart from the policy if there is good reason to do so. Compliance with the policy will be enforced via a review of the vehicle licence if the relevant condition is breached.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Retain existing Advertising Policy which would not open business initiatives for the relevant trade.

4 FINANCE COLLEAGUE COMMENTS

- 4.1 None.

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 The creation of this policy is within the Council's powers.
- 5.2 Any person aggrieved by the decision of the Council may challenge the policy by Judicial Review.

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS

- 6.1 None.

7 EQUALITY IMPACT ASSESSMENT

- 7.1 Not needed (report does not contain proposals or financial decisions).

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 8.1 None.

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- Report to Regulatory & Appeals Committee – 24 September 2012;
- Local Government (Miscellaneous Provisions) Act 1976;
- Police & Town Clauses Act 1947;
- Hackney Carriage & Private Hire Vehicle Strategy.