

REGULATORY & APPEALS COMMITTEE – 24 SEPTEMBER 2012

Title of paper:	Request to review the current advertising policy for Hackney Carriage and Private Hire Vehicles	
Director(s)/ Corporate Director(s):	Andrew Errington Corporate Director Community Protection	Wards affected: ALL
Report author(s) and contact details:	Angela Rawson 0115 8761749 Angela.rawson@nottinghamcity.gov.uk	
Other colleagues who have provided input:	Ann Barrett 0115 8764411	
Relevant Council Plan Strategic Priority: (you must mark X in the relevant boxes below)		
World Class Nottingham		x
Work in Nottingham		
Safer Nottingham		x
Neighbourhood Nottingham		
Family Nottingham		
Healthy Nottingham		
Leading Nottingham		
Summary of issues (including benefits to citizens/service users):		
This report asks members to adopt a revised policy for advertisements which it will permit to be displayed on both Hackney Carriages and Private Hire Vehicles.		
Recommendation(s):		
1	That the policy at Appendix 2 be approved with immediate effect.	
2		

1. BACKGROUND

- 1.1 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.
- 1.2 The Council adopted its current policy for advertising at a meeting of the Environment (Licensing) Sub Committee on 5th July 1995 and this was subsequently amended in 2003. A copy of the current policy and amendment is attached at Appendix 1.
- 1.3 The current policy only addresses advertising on hackney carriages and additional requirements were imposed via conditions on both hackney carriage and private hire vehicles. The lack of one comprehensive document dealing with advertising requirements has become a source of frustration for vehicle owners.
- 1.4 A revised Advertising Policy is attached at Appendix 2. This policy now incorporates requirements for both Hackney Carriage and Private Hire vehicles in

one document. 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.

2. REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 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.
- 2.2 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
- 2.3 The proposals have also been designed to ensure that vehicles are not cluttered with advertisements which may detract from the registration plates attached to the front and rear which is the main source of information to customers and enforcers alike. In that, it is proposed that advertisements are focussed on the sides of the vehicle with more restrictive requirements on the front and rear of the vehicle.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

NONE

4. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 There will be costs printing the policy which can be met from the current budget.

5. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

- 5.1 The creation of this policy is within the Council's power and appears reasonable
- 5.2 Any person aggrieved by the decision of the Council may challenge the policy by Judicial Review

6. EQUALITY IMPACT ASSESSMENT

Has the equality impact been assessed?

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

X

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

NONE

8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

NONE

APPENDIX 1

EFFECTIVE FROM 5 JULY 1995

CITY OF NOTTINGHAM

ADVERTISING POLICY FOR WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGES

- (1) Front Doors - A telephone number which is unique to the booking of hackney carriages will be allowed and shall be placed directly below the City Coat of Arms and centralised. Individual numbers will be white in colour and subject to the below measurements:-

Height maximum 127mm (approx 5") minimum 63mm (approx 2½") width maximum 89mm (approx 3½") minimum 51mm (approx 2").
- (2) Rear Doors - Advertisements will be allowed on the whole of the rear doors.
- (3) Rear Window - Advertisements will be allowed which provide for displays which are visible from the outside but invisible from the inside.
- (4) Interior - Advertisements will be allowed providing they do not obstruct the view of either the driver or passengers.
- (5) Advertisements to be on self - adhesive vinyl sheeting or similar material. No paper based materials or water soluble adhesive pastes shall be used.
- (6) All advertisements to comply with Advertising Standards Code of Practice.
- (7) Advertisements relating to any kind of gambling activity will not be exhibited, except football pools, lotteries or premium bonds.
- (8) No advertisements of a religious, political or controversial nature shall be displayed without the prior consent of the Council.
- (9) No advertisements or telephone numbers relating to the provision of private hire vehicles will be displayed.
- (10) Officers who are authorised by the City Council under Part (II) of the Local Government (Miscellaneous Provisions) Act 1976 will have the right to request a Hackney Carriage proprietor to remove any advertisements thought to be offensive, inappropriate or undesirable.
- (11) Advertisements shall be maintained in good condition.

Addition to the Advertising Policy for Wheelchair Accessible Hackney Carriages

Advertising of company telephone numbers

Advertising of company telephone numbers shall be allowed on specified locations on a hackney carriage subject to the conditions listed below.

1. The name of the company may be displayed provided this relates directly to operating company. The letters shall be placed directly below the telephone number and shall be centralized. The maximum/minimum height, width and colour of the letters shall be the same as those used for the telephone numbers.
2. On the rear screen of a hackney carriage:

The telephone number shall be placed either at the top or bottom of the screen and be centralized. The number shall be white in colour and shall not exceed the following sizes:

Number height	63mm (Maximum) 2.5" Approx
Number width	25mm (Maximum) 1.0" Approx

In any event, the drivers view out of the rear window must not be obscured in any way by the placing of the telephone numbers.

This variation of the existing policy shall be effective from midnight on 20th August 2003

Signed

Assistant Director Development and Environmental Services

APPENDIX 2



CITY OF NOTTINGHAM ADVERTISING POLICY

ONLY ADVERTISING COMPLYING WITH THE FOLLOWING REQUIREMENTS MAY BE DISPLAYED

GENERAL

1. All advertisements must:-
 - a. Be on adhesive vinyl sheeting or magnetic panel. No paper based materials or water soluble adhesive pastes shall be used.
 - b. Comply with the Advertising Standards Authority's Code of Practice.
2. No advertisements of a religious, political or controversial nature are permitted
3. Advertisements shall be maintained in good condition.
4. Officers authorised by the City Council under Part (II) of the Local Government (Miscellaneous Provisions) Act 1976 will have the right to request a proprietor to remove any advertisements not complying with this policy

ADVERTISING ON WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGES

5. **Front Doors** may only be used to display a telephone number which may be used to book the hackney carriage. This must be placed directly below the City Coat of Arms and centralised. The individual numbers must be white and within the following dimensions:-

Height maximum 127 mm (approx 5") minimum 63mm (approx 2½")
Width maximum 89 mm (approx 3½") minimum 51 mm (approx 2").
6. **Rear doors** – Advertisements are permitted to cover the whole of the rear doors (Not including windows which should only display 'No Smoking' signage).
7. **Rear Screen** - Advertisements are permitted only if made of a material which provides for displays which are visible from the outside of the vehicle but which cannot be seen from inside the vehicle and do not affect the drivers ability to see through the window. The rear window may be used to display a telephone number which may be used to the

book the hackney carriage. Telephone numbers displayed on the rear window shall be placed either at the top or bottom of the screen and shall be centralised. The individual numbers must be white and within the following dimensions:-

height	-	63 mm (Maximum 2.5" Approx)
width	-	25 mm (Maximum 1.0" Approx)

8. **Interior** – Advertisements are permitted providing they do not obstruct the view of either the driver or passengers.
9. Where a hackney carriage receives bookings through a business run for that purpose, then the display of the name and phone number of the business will be permitted other than just on the front doors and rear screen of the vehicle subject to any lettering being placed directly below the telephone number and being centralised. The maximum/minimum height, width and colour of the letters shall be the same as those used for the telephone numbers.

ADVERTISING ON PRIVATE HIRE VEHICLES

10. An Operator is permitted to advertise business details on the sides of vehicles operated by them. Such details shall be limited to:
 - i company name
 - ii company logo
 - iii telephone number
 - iv internet address

All designs, including full door advertising, must be approved by the Licensing Authority prior to use.

11. Advertisements displayed on the sides of vehicles shall also contain the words "Not insured if not pre-booked" or "Advanced bookings only".
12. A company name and logo may be displayed on the bonnet of a vehicle provided the advertisement does not exceed six inches square
13. Advertisements on the rear screen of a Vehicle are only permitted if:-
 - they are made of a material which provides for displays which are visible from the outside of the vehicle but which cannot be seen from inside the vehicle and do not affect the drivers ability to see through the window.and
 - the advertisement contains the wording "Advance Bookings only" in letters no smaller than 4" high at the top of the screen.
14. There shall be no advertisements on the roof of the vehicle

August 2012