

REGULATORY AND APPEALS COMMITTEE – 14 AUGUST 2014

Title:	Application to depart from the approved advertising policy for hackney carriage and private hire vehicles	
Director:	Andrew Errington Director of Community Protection	Wards affected: ALL
Report author:	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		X
Safer Nottingham		X
Neighbourhood Nottingham		
Family Nottingham		
Healthy Nottingham		
Leading Nottingham		
Summary of issue: This report asks Councillors to consider an application from a Private Hire Operator to depart from the adopted Advertising Policy. DG Cars Limited want to have a design (see appendix 2) which does not meet the approved specifications (see appendix 1).		
Recommendation: That the Committee determine whether the design attached at appendix 2 merits a departure from the Council's Advertising Policy.		

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. The Council's current conditions require that apart from "for hire" signs and the words "City of Nottingham" which are required to be displayed on Hackney Carriages, no signs or advertisements shall be displayed on either private hire vehicles or hackney carriages unless they have been approved by the Council.
- 1.2 The Committee was asked in 2012 to approve a policy defining the type of advertising to be permitted on private hire vehicles (and Hackney Carriages).
- 1.3 Mr Kevin Rowland, on behalf of DG Cars Limited, approached the Licensing Authority with a proposed design for their fleet of electric cars in an effort to promote these zero emission vehicle.

- 1.4 On 3 July 2014, a meeting was held with DG where a compromise was reached in principle with the exception of the bonnet design, which did not fit into the size specifications.
- 1.5 Unfortunately, DG came back with a design which was by far outside the remit of the advertising policy and it became necessary to place the matter before the Committee for further consideration.
- 1.6 Policy Number 10 – The images portrayed in the submitted design do not comply with any of the listed requirements.
- 1.7 Policy Number 12 – the image submitted does not comply in that the image consists of a number and not the name and logo as required.
- 1.8 Policy Number 13 – the information proposed on the rear windscreen does not accord with this requirement.

2. REASONS FOR RECOMMENDATIONS

The new policy clearly sets out the requirements of Nottingham City Council and is aimed in providing uniformity to vehicles licensed by the Council and ensuring that such vehicles have an uncluttered appearance. The proposals of the Operator go beyond that remit.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

None.

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

None.

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

The Committee may depart from its normal policy if it feels it has good reason to do so. In such circumstances the Committee may also wish to consider if it wishes to reconsider the terms of the policy generally to reflect such a departure

6. EQUALITY IMPACT ASSESSMENT

Not needed as the report does not contain proposals or financial decisions.

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.



NOTTINGHAM CITY COUNCIL 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 127mm (approx 5") minimum 63mm (approx 2½");
 Width maximum 89mm (approx 3½") minimum 51mm (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:
 - i 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
 - ii 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