



**TAXI LICENSING AND APPEALS
COMMITTEE
30 August 2012**

ITEM 7

Report of the Strategic Director of
Neighbourhoods

ADVERTISING ON PRIVATE HIRE VEHICLES

SUMMARY

- 1.1 A request has been received from a local private hire company for Committee to consider allowing advertising on private hire vehicles.
- 1.2 At the last meeting, Members agreed in principle to approve advertising on the door signs of private hire vehicles and requested Officers to produce a revised condition that made provision for the agreed advertising and a policy to control the type of advertising allowed.

RECOMMENDATION

- 2.1 To agree the proposed terms for a revised private hire vehicle licence condition contained in Appendix 4.
- 2.2 To agree the proposed terms for a proposed advertising policy for all licensed vehicles contained in Appendix 6.
- 2.3 To agree to consult with Private Hire Operators on the proposals contained in Appendices 4 and 6, and Hackney Carriage drivers on the proposals contained in Appendix 6.
- 2.4 To agree to receive a further report at a future meeting of the committee for a decision to be made on the proposals.

REASONS FOR RECOMMENDATION

- 3.1 To ensure the Council maintains its obligation to safeguard public safety and supports the corporate priorities.

SUPPORTING INFORMATION

- 4.1 At the meeting on 5 July 2012, Members agreed in principle to approve advertising on the door signs of private hire vehicles in line with the request that had been received from Western Cars. This original request is attached at Appendix 2 for information.

- 4.2 Members requested officers to produce a revised condition that allowed the agreed advertising on the door signs of private hire vehicles. Whilst doing this, officers have taken the opportunity to review the condition and are proposing a number of other changes that they believe are necessary and proportionate to reinforce public safety and ensure more consistent enforcement.
- 4.3 If approved, these additional changes will mean that some existing door signs currently in use will not comply with the new condition. It will therefore be necessary to allow a transitional period for these existing door signs to be replaced if an Operator does not want to take advantage of the new advertising provision. More consideration of this can be given if necessary.
- 4.4 The existing Condition 11 from the current private hire vehicle licence conditions is contained at Appendix 3. The revised Condition 11 being proposed is contained at Appendix 4.
- 4.5 Members also requested that officers produce an advertising policy for private hire vehicles along similar lines to the policy currently in place for advertising on hackney carriage vehicles. Officers have also taken the opportunity to review this and have produced a combined draft policy that applies to all licensed vehicles. The existing hackney carriage advertising policy is contained at Appendix 5. The proposed advertising policy for all licensed vehicles is contained at Appendix 6.
- 4.6 Should members be minded to agree to a consultation being undertaken in relation to the proposed amended terms and conditions, officers will endeavour to report the consultation responses, together with subsequent recommendations to a future committee meeting.

OTHER OPTIONS CONSIDERED

- 5.1 Not applicable

This report has been approved by the following officers:

Legal officer	Olu Idowu
Financial officer	N/A
Human Resources officer	N/A
Service Director(s)	John Tomlinson
Other(s)	N/A

For more information contact:	Michael Kay 01332 641940 e-mail michael.kay@derby.gov.uk
Background papers:	None
List of appendices:	Appendix 1 – Implications Appendix 2 – Original request from Western Cars Appendix 3 – Existing Condition 11, Private Hire Vehicle Conditions Appendix 4 – Proposed revised Condition 11 Appendix 5 – Existing hackney carriage licensing policy Appendix 6 – Proposed advertising policy for all licensed vehicles

IMPLICATIONS

Financial

1.1 None.

Legal

2.1 As the licensing authority, the Council is obliged to ensure that its licensing policies and related terms and conditions effectively safeguard the public interest.

Personnel

3.1 None.

Equalities Impact

4.1 The recommendations set out in this report will apply to all private hire vehicles.

Health and Safety

5.1 None.

Carbon commitment

6.1 None.

Value for money

7.1 None.

Corporate objectives and priorities for change

8.1 The proposal supports the corporate priorities to ensure the people in Derby will enjoy **good quality services that meet local needs and being safe and feeling safe.**

Original request from Western Cars

Western Car Company

Door Panel Sponsorship



We would like to be on a level playing field with other public transport operators in the city of Derby regarding advertising and sponsorship. This includes bus companies and the hackney carriage trade. In the present economic climate, we must explore all avenues of revenue to keep our business competitive .

An argument given against this previously was the private hire trade was not a “commercial business”. This is incorrect as we are told by the licensing department that a vehicle ceases to be a private vehicle once it is licensed and has a “plate” attached to it . Indeed it is against the law for a person who does not hold a badge to drive a licensed vehicle even if it is not working.

As with our example, we would make the company information and logo a different colour to the sponsorship logo. We also think it would make our cars stand out more to the public as not only would they be looking for our logo, they may also

.recognise us by the sponsor logo thus making more certain they are getting in the correct vehicle.

We suggest that at least 80% of the panel has the company logo and information on it.

If you have further questions or concerns,I would be happy to address your committee.

Thanks

M.Keenan

ADVANCED BOOKINGS ONLY

WESTERN CARS
01332 331331

www.westerncars-derby.co.uk

SPONSORED
BY

printing.com @ IMMEDIATE DESIGN

Existing Condition 11, Current Private Hire Vehicle Conditions**11. Signs/Notices/Advertisements etc**

- (a) Company signs must be displayed at all times when a vehicle is working for a particular company.
- (b) Should a company vehicle be used by a driver for other work (e.g. the driver's own school contract work, for which they hold a separate operator's licence), appropriate signage for their own company must be displayed – the 'main' company signs shall not be displayed.
- (c) Company signs shall be displayed on both sides of a licensed private hire vehicle, on either front or rear doors and must be a minimum size of at least 40 cm by 20 cm, with a minimum height of lettering for the company named being 4 cm.
- (d) Any typeface used on signs shall be clear and easily legible. No italicised letters or numbers will be permitted.
- (e) The words "Advanced Bookings Only" shall be present on each door sign.
- (f) The combination of typeface colour and background colours used should be high contrast (e.g. dark letters on a light background). Reflective backgrounds will be acceptable.
- (g) Each private hire operator shall have only one design of door sign which must be used by all vehicles in its fleet.
- (h) No such sign shall include the words "TAXI" or "CAB" whether in the singular or plural or the words "FOR HIRE" or any other word or words of similar meaning or appearance likely to cause a person to believe the vehicle is a hackney carriage or is presently available to carry any passengers wishing to hire it.
- (i) No other externally visible sign, notice, advertisement, plate, mark, number, letter, figure, symbol or emblem shall be displayed on, in or from the vehicle except as may be required by any statutory provision or as may be required or permitted by these conditions or as may be otherwise be approved from time to time by the Council in writing.

Proposed revised Condition 11**11. Signs/Notices/Advertisements etc****Standard Conditions**

- a) The Operator's company signs shall be displayed at all times when a vehicle is undertaking licensed private hire work.
- b) The Operator's company signs displayed on the vehicle shall indicate the Operator's company name for which the licensed private hire work is being undertaken.
- c) Operator's company signs shall be displayed on both sides of the vehicle on the front doors and must be a minimum size of at least 40 cm in width and 20 cm in height.
- d) The words "ADVANCED BOOKINGS ONLY" in capital letters and a minimum size of 2 cm in height shall be present centrally along the top edge of each door sign.
- e) The operator's company name shall be in capital letters and a minimum size of 4 cm in height and located centrally directly under the words "ADVANCED BOOKINGS ONLY".
- f) Any typeface used on Operator's company signs shall be clear and legible. No italicised letters or numbers will be permitted.
- g) The combination of typeface colour and background colours used on the Operator's company signs shall be in contrast to each other (i.e. dark letters on a light background). Reflective backgrounds will be acceptable.
- h) Each Operator's company signs shall be of one design with the exception of any approved advert.
- i) No Operator's company sign shall include the words "TAXI(S)" or "CAB(S)" or the words "FOR HIRE" or any other word(s) of similar meaning or appearance likely to cause a person to believe the vehicle is a hackney carriage or is presently available for hire.
- j) No other externally visible sign, notice, advertisement, plate, mark, number, letter, figure, symbol or emblem shall be displayed on, in or from the vehicle except as may be required by any statutory provision or as may be required or permitted by these conditions or as may be otherwise approved from time to time by the Council in writing.

Additional Conditions for Door Signs with an Approved Advert

- k) Operator's company signs that include an approved advert shall be displayed on both sides of the vehicle on the front doors and must be 50 cm in width and 30 cm in height.

- l) Operator's company signs may display an approved advert that measures 50 cm in width and 6 cm in height along the bottom edge of the sign.
- m) Every advert must comply with the 'Licensed Vehicle Advertising Policy' and must be approved in writing by the relevant Service Director before being displayed.

Existing Hackney Carriage Advertising Policy

Any advertisements

- (a) must be designed to be affixed only to those parts of the vehicle permitted by the specification for Hackney Carriages
 - (a) must advertise a product, place, service or event
 - (b) must not promote alcoholic drinks, smoking or tobacco products
 - (c) must not contain material that may be considered offensive
 - (d) must not make disparaging or critical comments or statements about any individual, group, company or organisation.
 - (e) must not promote or support discrimination against any individual or group
 - (f) must not contain numbers (e.g. telephone numbers) greater than 60 mm in height.
 - (g) must comply with trading standards legislation.

Proposed Licensed Vehicle Advertising Policy

Any licensed vehicle advertisements must:

- (a) be designed to be affixed only to those parts of the vehicle permitted by the relevant licence conditions/specifications for the time-being in force
- (b) advertise a product, place, service or event
- (c) not promote alcoholic drinks, smoking or tobacco products, or gambling
- (d) not contain material that may be considered offensive as determined by the relevant Service Director
- (e) not make disparaging or critical comments or statements about any individual, group, company or organisation
- (f) not promote or support discrimination against any individual or group
- (g) conform with the requirements of the Advertising Standards Agency, as applicable

To obtain written approval, adverts should be sent to:

The Licensing Team
2nd Floor Celtic House
Heritage Gate
Derby DE1 1QX