



RHONDDA CYNON TAF

**RECORD OF DELEGATED OFFICER DECISION**

**SUBJECT:**

Commercial Advertising on Hackney Carriages & Private Hire Vehicles (Taxis)

**PURPOSE OF ATTACHED REPORT:**

The purpose of the report is to consider representations from the Pontypridd & Valleys Taxi Association to review the current policy in respect of commercial advertising on licensed vehicles.

**DELEGATED DECISION (Date):**

- (i) The proposal for the introduction of commercial advertising on licensed vehicles be approved;
- (ii) That the support of the Licensing Committee in respect of the proposal be noted;
- (iii) The implementation date be subject to the approval of the policy by the Executive, with a target date for implementation of 1/12/11;
- (iv) The Director of Public Health & Protection be authorised to approve/refuse proposed adverts, in accordance with guidelines & conditions of licence as included with this report;
- (v) The Director of Public Health & Protection refer any disputed application to the Licensing Committee for appropriate determination.
- (vi) That no fee be charged for commercial advertising applications at this time, but that the Director of Public Health & Protection be authorised to review this position in light of operational experience and set a fee as may be considered reasonable.

  
Chief Officer Signature

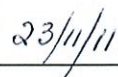
GEORGE JONES  
Print Name

23/11/11  
Date

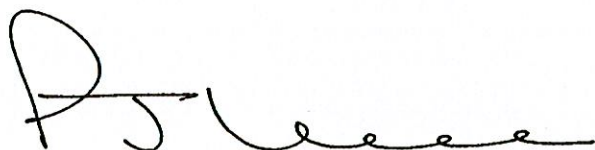
The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution



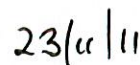
CONSULTEE CABINET MEMBER SIGNATURE



DATE



OFFICER CONSULTEE SIGNATURE



DATE

Directorate:	Public Health & Protection
Contact Name:	Meryl Williams
Designation:	Licensing Manager
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# **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

## **MUNICIPAL YEAR 2011/2012 REPORT TO ACCOMPANY DECISION OF GROUP DIRECTOR, ENVIRONMENTAL SERVICES**

<b>Part 1</b>	<b>Item No.</b>
<b>(Non- Confidential)</b>	

<b>COMMERCIAL ADVERTISING ON HACKNEY CARRIAGES &amp; PRIVATE HIRE VEHICLES ('TAXIS')</b>
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### **1.0 PURPOSE OF REPORT**

The purpose of the report is to consider representations from the Pontypridd & Valleys Taxi Association to review the current policy in respect of commercial advertising on licensed vehicles. In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended Officer decision of the Group Director Environmental Services as described below.

### **2.0 RECOMMENDATIONS**

It is recommended that:

- (i) The proposal for the introduction of commercial advertising on licensed vehicles be approved;
- (ii) That the support of the Licensing Committee in respect of the proposal be noted;
- (iii) The implementation date be subject to the approval of the policy by the Executive, with a target date for implementation of 1/12/11;
- (iv) The Director of Public Health & Protection be authorised to approve/refuse proposed adverts, in accordance with guidelines & conditions of licence as included with this report;
- (v) The Director of Public Health & Protection refer any disputed application to the Licensing Committee for appropriate determination.
- (vi) That no fee be charged for commercial advertising applications at this time, but that the Director of Public Health & Protection be authorised to review this position in light of operational experience and set a fee as may be considered reasonable.

### **3.0 BACKGROUND**

#### **3.1 'Taxi' Livery**

All vehicles licensed by the Authority for hire & reward are subject to a policy which strictly controls the livery.

Hackney Carriages are required to be BLACK; Private Hire Vehicles are required to be WHITE.

Whilst all licensed vehicles carry Licensing Authority decals and licence plates fixed to the vehicle, it was considered that a clearly differentiated colour policy would serve to further promote public protection. The livery was introduced under the provisions of S.17 of the Prevention of Crime & Disorder Act, with the following aims:-

- (i) To assist members of the public in readily identifying a licensed vehicle;
- (ii) To provide a deterrent to the casual use of unlicensed vehicles for hire & reward.

It is considered that the colour policy, (combined with a proactive approach to enforcement and an education programme), has been a successful tool which has all but eliminated unlicensed traders in the Borough. Such vehicles are now very much an exception, evidenced by the significant reduction in complaints received. It is also considered that the appearance of the licensed fleet has improved considerably as a result of the uniformity achieved.

### **3.2 Conditions of Licence**

When the policy in respect of vehicle identification was considered, it was determined that any ancillary information in the form of sign writing to the exterior of the vehicle should be kept to a minimum.

The decision was taken to preserve the livery and appearance of a properly licensed Hackney Carriage or Private Hire Vehicle, where there would be nothing to detract from the standard identifying criteria i.e. colour; door decal; and licence plate. Following representations from the trade, it was agreed that conditions of licence would be amended to make provision for the company trading name to be displayed on a vehicle. The trade representations at that time indicated that whilst the principle of uniformity was beneficial to the fleet as a whole, vehicles subject to pre booking by customers needed to be readily identified to enable operators to maintain their customers.

Consequently provision was made for the display of the company trading name in a specified format i.e.

- Vehicle up to 4 passengers – a sign panel not exceeding 24" x 12" to be displayed on rear nearside/rear offside doors only;
- Vehicles carrying 5 to 8 passengers - a sign panel not exceeding 36" x 24" to be displayed on rear nearside/rear offside doors only;

All vehicles are subject to the same basic condition of licence, which is rigorously enforced. Any vehicle displaying additional sign writing would be subject to inspection and/or sanction to ensure removal of unapproved material. Members will note that no graphics are permitted as part of the company identification.

There is currently a provision which allows commercial advertising to the interior of a vehicle on a screen displaying scrolling or moving advertisements. (To date no licensees have taken advantage of this facility).

No exterior commercial advertising is permitted on vehicles.



### **3.3 Proposals for Change**

The Pontypridd & Valleys Taxi Association have recently surveyed their members in respect of the provisions for commercial advertising and a potential tariff increase. 98 survey forms were returned, where 91 licensees requested that there be a change in policy to permit commercial advertising on licensed vehicles in Rhondda Cynon Taf.

Informal discussion with trade representatives indicates that commercial advertising is potentially a valuable source of additional income for licensees, hence the reason for the request.

### **3.4 Key Considerations**

Should Members be minded to support a change in policy, consideration must be given to the type of advertising permitted. Permitted advertising should not detract from the integrity and/or identity of the vehicle as the overriding concern continues to be protection of the public and fare paying passengers.

Conditions can be imposed as part of the licence and can specify the nature of adverts to be excluded, for example political, religious, racial, sexual or controversial texts.

A comparison of best practice amongst other Authorities has indicated a fairly uniform approach to the type of advertising material permitted. Draft conditions of licence have been prepared in accordance with such best practice.

A copy of draft conditions is reproduced for information as Appendix 1A.

### **3.5 Resource implications**

The Licensing Team has recently been restructured to respond to changing needs of service, particularly the night time economy. Whilst staff levels have been reduced, resources within the Team have been reallocated to meet changing demands. Therefore, it is considered that the operation of an advertising approval scheme can be accommodated within existing resources, at this time.

It is important that any vehicle carrying a Rhondda Cynon Taf licence plate, only displays, professionally prepared, appropriate advertising material which does not compromise the licensing regime. Therefore it will be necessary to amend conditions of licence to specify appropriate standards, where each advert will have to be approved on merit.

The Licensing Authority is permitted to recover the full cost of administering the licensing process. However, at this stage it is proposed that no charge be made for this facility.

This initial assessment of impact & cost is based on consultation with neighbouring Authorities which operate a scheme, where it is indicated that the impact on resources is minimal. Whilst there is demand for the provision, it appears that only a very small minority of licensees actually make use of it. There is a cost to the provision of artwork for approval etc and it appears that in



certain circumstances the income realised for the licensee is disproportionate to the process for securing it.

In addition, licence fees for this year have been set and certain 'Taxi' related fees are currently the subject of a statutory public consultation, which in itself incurs a cost. Consequently it is proposed that should the change in policy be adopted, the position be reviewed for the next financial year, when revision of fees is considered.

### **3.6 Conclusion**

In view of the foregoing it is considered reasonable that the current policy be reviewed to accommodate the provision of commercial advertising for the exterior of licensed vehicles.

It is likely that most operators will wish to maintain the trading company name, for the reasons indicated previously. Therefore it is proposed that provision be made for the trading name of the company to be displayed on the FRONT DOORS of the vehicle, adjacent to, but not obscuring the Licensing Authority door decals, which bear the plate number of the vehicle.

This will allow the rear offside/ rear nearside doors to be utilised for commercial advertising, should the licensee wish to do so. This is considered a proportionate response to the request of the trade and will allow the Licensing Authority to review the 'take up' and subsequent impact of the change.

The Licensing Authority will retain control over the content of such adverts, by the revision of licence conditions as proposed at Appendix 1A.

It is considered appropriate that the Director of Public Health & Protection be authorised to approve or refuse advertising material in accordance with the proposed conditions, but that provision be made for referral to this Committee should there be any dispute.



## DRAFT CONDITIONS FOR ADVERTISING ON HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES

1. All applications for advertising on a Hackney Carriage or Private Hire vehicle must be made in writing to the Director of Public Health & Protection and accompanied by a sample of the advertising proposed.
2. The quality of submissions must be of an acceptable standard. No faxes will be accepted. Coloured artwork is to be provided in every case and full details of the advertising proposals must be provided. ***(NB: It is essential that all the detail of the proposed advertisement be shown in the original submission. If it is not, then the advertisement may subsequently be rejected.)***
3. The submission, if it is considered acceptable, will be given **Provisional Approval**.
4. **Final Approval** will be given once the advertisement has been placed on the vehicle. An appointment must be made with a Taxi Licensing Officer for a final inspection when the Officer will confirm that the work has been completed in accordance with the provisional approval granted.
5. The proprietor of any vehicle displaying an advertisement that has not received its final inspection will be required to remove it immediately.
6. Vehicles displaying advertising without approval of the Council will be in contravention of the conditions attached to the vehicle licence and may be liable to suspension until such time as the material has been removed from the vehicle.
7. All advertising must comply with the British Codes of Advertising and Sales Promotion and is the responsibility of the agency or individual seeking the Licensing Authority's approval to ensure that they do so.
8. Any advertisement approved shall be placed on the back passenger doors only, below the windows **with the exception** of the "Trading Name identification signs" displaying the company details (see Point 12 below), which may be displayed on the front door of the vehicle, below the window and must not obscure the sign displaying the licence number of the vehicle. (Licensees who choose NOT to have commercial advertising will continue to display Trading Name identification on rear doors.)
9. Materials used for advertisement must be of a quality not easily defaced or detached. No paper-based materials or water-soluble adhesive paste shall be used. Advertisements must be affixed directly to the exterior rear door panels of the vehicle or initially attached to an approved magnetic panel, which is then attached to the vehicle.
10. Reflective material is not to be used for advertising purposes.
11. Each proposal will be considered on its merits but the following advertisements will not be approved:
  - Those with political, racial, religious, sexual or controversial texts;
  - Those for escort agencies, gaming establishments or massage parlours;
  - Those displaying nude or semi-nude figures;
  - Those likely to offend public taste (depicting violence, obscene or distasteful language);
  - Those which have any reference to alcohol, tobacco/cigarettes and drugs;
  - Those promoting discounted fares;
  - Those advertising jobs;
  - Those which detract from the integrity and/or identity of the vehicle;
  - Those which seek to advertise more than one company/service or product.
12. Trading Name Identification Signs, (signs stating the company name and telephone number), must be securely fixed adjacent to the door stickers displaying the licence number of the vehicle and must obtain Provisional and Final Approval.