

**LICENSING AND SAFETY COMMITTEE  
2 OCTOBER 2008**

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**ADVERTISING ON HACKNEY CARRIAGES  
(Chief Officer: Environment and Public Protection)**

**1 PURPOSE OF DECISION**

- 1.1 The Committee is requested to consider whether the provision in respect of advertising on hackney carriages is still appropriate and if so, it is recommended that the criteria attached at Appendix A be used to assess all applications to place advertisements on wheelchair accessible hackney carriages.

**2 RECOMMENDATIONS**

**2.1 That the Committee approves with immediate effect:**

- (i) the use of the criteria at Appendix A to assess all applications for advertisements on wheelchair accessible hackney carriages,
- (ii) that any vehicles which currently display advertising be required to apply for authorisation of the advert at the time of their next licence renewal application,
- (iii) that authority is delegated to the Director of Environment, Culture and Communities to determine such applications, and
- (iv) that the fee in the current year for consideration of such applications be set at £30.00 per advert for new applications, and £20.00 for renewal applications.

**3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

Borough Solicitor

- 3.1 The legal implications are identified within the report.

Borough Treasurer

- 3.2 There are no significant financial implications arising from the recommendations in this report.

Equalities Impact Assessment

- 3.3 There are no implications arising from the adoption of the recommendations.

Strategic Risk Management Issues

- 3.4 There are no strategic risk management implications arising from the adoption of the recommendations.

## **4 SUPPORTING INFORMATION**

- 4.1 Under section 47 (1) of the Local Government, Miscellaneous Provisions) Act 1976, a district council may attach to the grant of a hackney carriage licence such conditions as the Council may consider reasonably necessary.
- 4.2 The Council has recently received a number of enquiries from companies wishing to attach advertisements to licensed hackney carriages. It is estimated that each enquiry can take up to an hour of an officer's time, including checking of the proposed advert, liaison with the applicant and an inspection of the vehicle.
- 4.3 The current 'Guidance Notes and Conditions for Hackney Carriage and Private Hire Vehicle Owners, Operators and Drivers' document does not contain any provision for adverts to be attached to hackney carriage vehicles, other than details of any operator if appropriate.
- 4.4 In 2001, the Committee approved a provision to allow advertising on wheelchair accessible vehicles to aid the drivers with the cost of investing in those vehicles. It was agreed that no advertisement could be used without prior approval of officers. There were no guidelines agreed by the Committee as to the procedure for authorisation and content of the advert.

### Background Papers

Guidance Notes and Conditions for Hackney Carriage and Private Hire Vehicle Owners, Operators and Drivers (April 2008)

### Contact for further information

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### Doc Ref

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**CRITERIA FOR ADVERTISING ON HACKNEY CARRIAGES**

1. All advertisements must comply with the British Code of Advertising Practice, Sales Promotion and Direct Marketing and it is the responsibility of the agency or individual seeking the Council's approval to ensure that they do so.
2. Each application will be considered on its merits, but advertisements containing the following will not be approved:
  - a) Those with political, ethnic, religious, sexual or controversial texts;
  - b) Those for escort agencies or massage parlours;
  - c) Those displaying nude or semi-nude figures;
  - d) Those which seek to involve the driver as an agent of the advertisers;
  - e) Those likely to offend public taste (including material depicting bodily functions and the use of obscene or distasteful language);
  - f) Those which seek to advertise more than one company.
3. All advertisement liveries must be approved by the Council and proposals must be accompanied by full colour, three-view art work.
4. The hackney carriage may be required to attend the Council offices for inspection of the finished livery.
5. The bodywork of the hackney carriage must be maintained in good condition. If any panels on the vehicle are damaged, they must be replaced within 7 days.
6. No secondary advertising of any kind will be permitted, whether in the form of the logo of the company preparing the vehicle or the name of the advertising agency.
7. No logos or words will be allowed on the boot lid area.
8. If approved, the livery may remain on the vehicle for a period of one year. At the end of that year, the vehicle owner may apply for an extension for a further 12 months which may be granted subject to an inspection of the quality of the livery and bodywork. This would be subject to a renewal application process and fee.