

Report of:	Meeting	Date	Item no.
Michael Ryan Corporate Director of People and Places	Licensing Committee	29 October 2015	9

Wyre Council Advertising Policy for Hackney Carriage Vehicles
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1. Purpose of report

- 1.1 To provide Members of the Licensing Committee with information to assist them at a hearing.

2. Outcomes

- 2.1 Determination by Members as to whether the advertising policy for Wyre Council licensed hackney carriage vehicles should be updated to include full vehicle wraps.
- 2.2 Members will make their decision after having taken into consideration, the content of this report and the previous resolution:
1. Part II, Local Government (Miscellaneous Provisions) Act 1976, Section 47
 2. Licensing Committee resolution of 26 September 2013
 3. Poulton Cabs request for a change to advertising on hackney carriages

3. Recommendation

- 3.1 That Members consider what action to take, if any, after duly considering the request made by the director(s) of Poulton Cabs, in the first instance and the subsequent effect on various independent Wyre hackney carriage proprietors and other operators. The recommendation to amend the condition to allow for the 'wrapping' of hackney carriages has the support of officers.

4. Background

4.1 Part II, Local Government (Miscellaneous Provisions) Act 1976 SECTION 47 - LICENSING OF HACKNEY CARRIAGES.

(1) A District Council may attach to the grant of a Hackney Carriage under the Act of 1847 such conditions as the District Council may consider reasonably necessary.

(2) Without prejudice to the generality of the foregoing Subsection, a District Council may require any Hackney Carriage licensed by them, under the Act of 1847, to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a Hackney Carriage.

(3) Any person aggrieved by any conditions attached to such a licence may appeal to a Magistrates Court.

5 Key issues and proposals

5.1 The advertising Policy relating to the text and images that may be displayed on hackney carriages was previously debated by Members at a Meeting of the Licensing Committee on 26 September 2013. The resolution of that Meeting was recorded in the Minutes at Lic.5 of the resolution printed as **Appendix 1** and this amended Para 4 the licence conditions for hackney carriages to the following :-

4. Advertising:-

*(a) **Saloon, Hatchback and MPV vehicles** - The company name, telephone numbers and email address on a strip from the front to the rear of the vehicle and on the rear bodywork up to a maximum height of 125mm (5 inches).*

(b) Company livery may also be extended around the rear boot lid or hatch and to include coloured graphics, text, icons for web sites and separate 'Chip & Pin' signage up to a maximum height of 125mm (5 inches).

*(c) **Minibus vehicles** - The company name, telephone number, email address and the word "TAXI" on a strip from the front to rear of the vehicle and on the rear bodywork up to a maximum height of 250mm (10 inches)*

(d) Company livery may also be extended around the rear double doors or hatch and to include coloured graphics, text, icons for web sites and separate 'Chip & Pin' signage up to a maximum height of 250mm (10 inches).

*(e) **All Hackney Carriage Vehicles** - Company telephone numbers may be accompanied by appropriate phrases such as "Call Free" or "Freephone" up to a maximum height of 125mm (5 inches).*

(f) The company insignia is allowed on the front passenger doors up to a maximum size of 375mm x 300mm (15 x 12 inches).

(g) All signage on hackney carriage vehicles must be professionally prepared and printed. Signage consisting of a homemade collage of individual letters and text, graphics or icons is not permitted.

- 5.2 On 23 September 2015, Mr Mark Rollston a director of Poulton Cabs submitted a covering letter to the Licensing Office along with a new advertising design that would effectively cover almost all of the rear hatch on a saloon/estate type hackney carriage. Although not stated in the covering letter, Mr Rollston has mentioned to the Taxi Licensing Officer that the new design would be confined to approximately 4 or 5 hybrid (petrol/electric) hackney carriages working on Poulton Cabs. This is owing to the high cost involved - approximately £300 per vehicle.

A copy of this letter and an artistic impression of the new design are attached as Appendix 2 and 3

- 5.3 Mr Rollston's request seeks permission to use a 'skinning' or 'wrapping' technique to advertise company contact details in a highly visible and effective form of advertising used on buses and taxis in other boroughs.

- 5.4 The material used in this process is a carbon fibre printed on one side and then applied to the outside of a vehicle as a second skin covering both the bodywork and rear window. The carbon fibre material is interlaced with minute holes in a honeycombed fashion making the material almost transparent when looking out from inside of the vehicle, irrespective of the artwork on the outside. Photographs at **Appendix 4** illustrate to members the visibility that drivers could expect if this procedure is carried out on a vehicle, together with a commercial vehicle that has had this technique applied.

Letter of permission to use photographs attached as Appendix 5

- 5.5 However where the 'skin' is applied, this process prevents full visibility of the inside from outside of the vehicle. The effect being similar to heavily tinted windows which could prevent a police or council officer from being able to see the number of passengers being carried in the vehicle.

This window 'skin' may also be in contradiction to the current acceptable level of window tint, however this may be subject to change as part of the overhaul of the Taxi licensing Policy revisions, later this financial year, as many vehicles now have rear tinted windows as factory fitted standard.

- 5.6 The graphics and process of application proposed by Poulton Cabs are widely used on hackney carriage vehicles licensed in other boroughs and in some cases the entire hackney carriage vehicle (but not side windows or windscreen) is frequently allowed to be covered. There are often no restrictions on the size of text, graphics or the use of colour. Poulton Cabs and some other taxi companies in urban Wyre therefore feel that they are at a commercial disadvantage with neighbouring boroughs.

- 5.7 Fylde and Blackpool now permit full wraps on their hackney vehicles, as of this year.

5.8 The removal of existing conditions which limit advertising on hackney carriage vehicles and permit full vehicle wraps would allow local companies to respond to rapidly occurring changes in printing and communication technologies and to ensure that they are competitive. Changes would also reflect national and local trends.

5.9 As private hire vehicles would still be restricted, changes to the appearance of hackney carriages would also serve to add further differentiation between licensed vehicles, to assist members of the public.

5.10 Should members decide to approve the changes to hackney vehicle condition 4, this will enable the trade to respond to changes in trends or technology without the requirement for each item to be considered by members.

Members are asked to consider the **addition** of the following conditions option, to allow for vehicle wraps, should these be appropriate for a hackney proprietor:-

“Any advertising on a hackney vehicle must be restricted to the details of the owner or operator, methods of contact and payment.

No commercial third party advertising will be permitted.

Any advertising wrap or skin, must not be applied to the side windows or windscreen.

No text or graphics that may cause offence to any other persons will be allowed.

A clear space of at least 50mm (2 inches) around any hackney plates must be allowed.

Any proposed significant changes to livery must be approved by the Council Licensing Office”

5.11 Nothing in this report affects the restricted advertising allowed on private hire vehicles.

5.12 Members are now asked to consider this report and the proposal to amend hackney vehicle conditions accordingly.

5.13 Representatives from the hackney carriage trade, (companies and independents) have been invited to this meeting and provided with a copy of this report.

Financial and legal implications	
Finance	No financial implications
Legal	The hearing should be conducted following the principles of natural justice. Any conditions imposed by the Licensing Committee can be the subject of an appeal to the Magistrates Court by the applicant.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report for those issues marked with an X.

risks/implications	✓ / x
community safety	✓
equality and diversity	✓
sustainability	x
health and safety	✓

risks/implications	✓ / x
asset management	x
climate change	x
data protection	x

report author	telephone no	email	date
Christa Ferguson	887476	christa.ferguson@wyre.gov.uk	12/10/2015

List of background papers:		
Name of document	date	where available for inspection
Taxi Licensing and Enforcement Policy	August 2004	Licensing Section

List of appendices

- Appendix 1 – Extract from the Licensing Minutes of 26 September 2013
- Appendix 2 – Copy of Poulton Cabs letter
- Appendix 3 – Copy of the artist impression of the rear advert
- Appendix 4 – Exterior and interior photograph of a commercial vehicle
- Appendix 5 – Letter of photo permission from Carleton Autos

arm/rg/lic/cr/15/2910cf4



Licensing Committee Minutes

EXTRACT OF THE Minutes of the meeting of the Licensing Committee of Wyre Borough Council held on Thursday 26 September 2013 at the Civic Centre, Poulton-le-Fylde.

LIC.5 **ADVERTISING ON HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES**

The Corporate Director of People and Places submitted a report on proposed variations to the current approvals for advertising on Hackney Carriages (Taxis) and Private Hire Vehicles licensed by the Council.

RESOLVED

- (1) That the advertising approvals for Hackney Carriage and Private Hire Vehicles be updated in the light of new and future communication technology, as set out in the report.
- (2) That company livery be extended around the rear boot lid/hatch or rear doors on minibuses and to include graphics, text, icons for web sites and separate 'Chip & Pin' signage as depicted in Appendix 4 of the Committee report and, that Hackney carriage conditions to be amended accordingly.
- (3) That, for Private Hire Vehicles, the panel size be increased to a maximum of 50cm (28 inches) x 15cm (6 inches) and to include colour, graphics, text icons for web sites and Credit & Debit card signage, as depicted in Appendix 5 & 6 of the report and, that the Private Hire Vehicle conditions be amended accordingly.
- (4) That private hire companies be allowed to display the company name and telephone number, as depicted in Appendix 7 of the report, in either:
 - a) the rear view windows of a hatch or saloon, or
 - b) the rear view window of a minibusand, that an addition be made to the Private Hire Conditions accordingly.
- (5) That private hire companies solely operating private hire vehicles and

not operating a mixed fleet of hackney carriage and private hire vehicles should not emphasise the word 'TAXI' in the company name or any advertising but, if the word TAXI is unavoidable then the words PRIVATE HIRE must be at least twice the height of the word TAXI on all advertising material and that the Private Hire Vehicle conditions be amended accordingly.

- (6) That the Corporate Director of People and Places be given delegated authority to determine what constitutes minor variations to advertising approvals and to arrange for such changes to be approved by appropriate officers.

The meeting started at 6.00pm and finished at 6.28pm.

Mr Parry

APPENDIX 2

Wyre Licencing

cc. Mr N Greenwood

Ms C Ferguson



Dear Mr Parry

TAXI ADVERTISING

Further to our recent discussions you asked me to provide you with some supporting evidence.

1. The meeting I referred to, where Christa Ferguson stated that ~~we~~ get the badge changes out of the way before looking at advertising was a Taxi Forum Meeting not a Licencing Committee Meeting (which I wouldn't be invited to).
2. The original WBC Technical Services (Hackney Carriage and Transport) Sub Committee held 1st Sept 1981 allowed "both the owner's insignia and advertising material on external doors of Hackney Carriages". The size was limited to 15 ins x 12 ins and limited to company name, telephone number and symbol. I doesn't stipulate if the size restriction is for the whole advert or for each part of the advert.
3. At the Licencing Committee of 26th Sept 2013 it was agreed: item (2) That the company livery be extended around the **rear boot lid/hatch or rear doors on minibuses** and to include graphics, text, icons for web sites. Is the size restrictions per graphic or total size?
4. At the Licencing Meeting of 7th Nov 2013, changes were made 4(b) to include Chip and Pin signage.

As many of these changes are quite old and with the improvement of graphic companies' ability to produce quality workmanship many companies (inside of the Taxi trade and out) have taken advantage to advertise more effectively, whilst still being tasteful.

Our concern is that companies in other Licencing Boroughs have been allowed to radically change their livery, whilst this is not allowed within Wyre we are definitely at a disadvantage to these companies, especially as they are neighbouring councils, often working or at least living in Wyre and therefore advertising in Wyre.

APPENDIX 3



23 SEP 2015

RECEIVED

BOROUGH POLICE



ABOVE: Wrapping on the outside of a vehicle and across the rear window

BELOW: Internal view through the wrapping on the rear window





All Model Servicing, Clutches, Brakes, Repairs, Tyres Supplied, Fitted and Balanced, Computerised Diagnostics

5th October 2015

To Wyre Borough Licencing Committee

We hereby give permission to use pictures of any of our courtesy vehicles in regards to the signage we have on the windows.

If we may be of any further assistance in this matter please don't hesitate to contact us on 01253 899948.

Regards

S Rathbone



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