

**Gambling, Licensing & Regulatory Committee** 11 February 2013

Report from the Assistant Director – Housing and Public Protection

**Advertising on and in Hackney Carriage and Private Hire Vehicles – Rear Window Stickers.**

**Summary**

1. This report asks Members to consider revising the conditions with regards to advertising on and in hackney carriage and private hire vehicles.

**Background**

2. The City of York Council currently has conditions in place regarding the current forms of advertising accepted on and in licensed vehicles. The conditions can be found at Annex 1.

**Advertising in the form of rear window stickers**

3. Conditions currently allow advertising on the body work of the vehicle, internally and in the rear window.
4. The condition relating to advertising in the rear window currently stipulates:

One rear window sticker may be permitted per vehicle providing it does not obscure the driver's visibility. No other advertising window stickers may be displayed. Vehicle dealer stickers will be considered as advertising stickers therefore no other sticker may be displayed.

5. The current wording of this condition is vague and can lead to confusion. Vehicle licence proprietors request advertising in various shapes and sizes, on some occasion the requests have been made to cover the entire rear window. Officers have to use their discretion as to whether they believe the size of the advertising sticker is appropriate so as not to obscure the driver's

visibility out of the rear window. Officers also need to make sure that the sticker is of a size that does not prevent officers and the police from clearly seeing into the vehicle. As a result there is potential for inconsistent application of this conditions. The Taxi Licensing Section receives approximately 15-20 requests a year for approval for this form of advertising.

6. Officers believe that the condition relating to rear window advertising should either be removed or that the wording should be amended.
7. If Members agree to remove the condition officers recommend that an additional condition should be added to the current conditions that stipulates:

No advertising is permitted in the windows of licensed vehicles.

8. If Members agree that the wording of the condition should be amended, officers recommend that the condition should clearly indicate the size of the advertising sticker and the location on the window where it can displayed. Officers would recommend the following wording:

One rear window sticker may be permitted per vehicle. The sticker can be no more that 5cm (2") high and 38cm (15") wide or 13cm (5") high and 13cm (5") wide. It must be positions at either the:

- i. bottom left hand corner of the window;
- ii. bottom right hand corner of the window; or
- iii. top of the window.

It must not obscure the driver's visibility. No other advertising window stickers may be displayed. Vehicle dealer stickers will be considered as advertising stickers therefore no other sticker may be displayed.

9. As a number of licensed vehicles currently have advertising stickers in their rear windows officers recommended the following implementation dates for either of these conditions:
  - a. Hackney carriage vehicles licensed before 1 April 2013 implementation date 1 June 2014.

- b. Private hire vehicle licensed before 1 April 2013 implementation date 1 November 2013.
- c. Change of vehicle (hackney carriage) implementation date 1 May 2013.
- d. Change of vehicle (private hire) implementation date 1 November 2013.
- e. New grants of hackney carriage or private hire vehicle licenses implementation date 1 April 2013.

## **Consultation**

- 10. Officers have informed the Associations that represent York's hackney carriage and private hire trade with regards to this report, and contacted other licensing authorities with regards to their policies on advertising.

## **Options**

- 11. Option 1 – agree with officers' recommendations and instruct officers with regards to whether the condition should be removed or reworded and when the changes should come into effect.
- 12. Option 2 – disagree with officers' recommendations and instruct officers to take no further action.

## **Analysis**

- 13. Option 1 – by either removing or rewording the condition will make the requirements for advertising in the rear window easier for both the trade and officers to understand / enforce and ensure consistency across the taxi fleet. Officers believe advertising in rear windows is a safety issue, the drivers visibility must not be obstructed and enforcement/police officers must be able to clearly see inside the vehicle.
- 14. Option 2 – there will be no changes to the current conditions relating to advertising in the rear window of licensed vehicles.

## **Council Priorities**

15. Taxi licensing conditions supports the council priority of 'Get York Moving'.

## **Implications**

16.

(a) **Financial**

There are no financial implications.

(b) **Human Resources (HR)**

There are no HR implications.

(c) **Equalities**

There are no equalities implications.

(d) **Legal**

There are no legal implications.

(e) **Crime and Disorder**

There are no crime and disorder implications.

(f) **Information Technology (IT)**

There are no IT implications.

(g) **Property**

There are no property implications.

(h) **Other**

There are no other implications.

## **Risk Management**

17. There are no known risks associated with this report.

## Recommendations

18. That Members approve Option 1 of this report.

Reason: Officers would recommend that Members remove the condition relating to advertising in the rear window due to safety issues.

## Contact Details

<b>Author:</b>	<b>Chief Officer Responsible for the report:</b>		
Lesley Cooke Licensing Manager 01904 551515	Steve Waddington Assistant Director – Housing and Public Protection		
	<b>Report Approved</b>	√	<b>Date</b> 31/01/13
<b>Specialist Implications Officer(s)</b> Head of Legal Services Ext: 1004			
<b>Wards Affected:</b>		<b>All</b>	√
<b>For further information please contact the author of the report</b>			

## Annex

**Annex 1** – Advertising Conditions