

REPORT TO:	Licensing Committee
DATE:	13 June 2018
LEAD OFFICER:	Head of Planning and Public Protection Services
CONTACT OFFICER:	Howard Birnie licensing@denbighshire.gov.uk 01824 706431
SUBJECT:	Request for Advertising on Hackney Carriage Vehicles

1.0 PURPOSE OF THE REPORT

- 1.1** To consider a request from Mr William Curry, who is an established Hackney Carriage Proprietor, for approval to display emblems on his licensed vehicles.
- 1.2** To clarify the policy requirement in respect of paint finish for hackney carriages

2.0 EXECUTIVE SUMMARY

- 2.1** In accordance with delegated authority, Officers are able to approve such requests in line with current policy.
- 2.2** Whilst Officers have delegated authority to approve requests as described at 2.1 above, this particular request has raised concerns with officers and therefore has not been approved at officer level.
- 2.3** Having received such a request, Members are asked to consider the details contained in this report to assist them in determining whether this request should be approved

3.0 POWER TO MAKE THE DECISION

- 3.1** Town Police Clauses Act 1847.

4.0 BACKGROUND INFORMATION

- 4.1 Mr. Curry has approached the Council with a view to applying for permission to display a large Welsh Flag emblem covering the bonnet area on his licensed vehicles, as shown in Appendix A. Please note these are computer generated images and not photographs of the vehicles as they stand.
- 4.2 The Council's existing policy and vehicle specification (5.6, 6.2 and 7.6) sets out the acceptable requirements relating to paintwork, signage, advertising and livery of Hackney Carriage Vehicles. Relevant extracts of these sections are provided at Appendix B to this report.

5.0 CONSIDERATION

- 5.1 Members should first note that section 6.2.2 appears incomplete when compared alongside the similar policy requirement for private hire vehicles. Specifically, the requirement for a private hire vehicle is, at 3.8.2, "The paint work shall be of a professional finish and be one consistent colour over the whole of the vehicle's bodywork". Members may want to consider if this requirement was intended to be replicated in the hackney carriage specification.
- 5.2 Officers wish to highlight to Members the requirements relating to Signs and Notices. Whilst a company name / telephone number can be displayed on the side/ rear of a vehicle no other signs, emblems or notices shall be displayed inside or outside a vehicle without specific written permission from the Council.
- 5.3 Members will wish to consider whether all types of sporting emblems and patriotic signage are acceptable to be displayed on licensed vehicles in general. For example, a request may be received to display allegiance to a sports team or country which may attract unwelcome attention, or increase the potential for criminal behaviour,
- 5.4 Whilst Mr. Curry's request may not automatically fall outside the requirements as detailed above, Officers consider that Members should be given the opportunity to give the matter their consideration in this instance.
- 5.5 When Members considered a request to display smaller emblems at their Meeting in September, 2017 it was **RESOLVED** that –

(a) the request to display emblems be granted as applied for, and

(b) future requests to display emblems be considered individually on their own merits.

The reasons for the Licensing Committee's decision were as follows –
“Having considered the report and Applicant's submission members were satisfied that it was appropriate for the emblems to be displayed on the vehicle as applied for. It was acknowledged that particular emblems of this type may attract unwanted attention but members considered that a policy change was not required and that each request should be determined on its own merits.”

6.0 RECOMMENDATION

6.1 Members consider the request to display the emblems and take one of the following options:

- approve the request as applied for, or
- refuse the request.

6.2 Members consider the policy requirement comments at 5.1 above and confirm the intended sentence to be either:

- The paint work shall be of a professional finish; or
- The paint work shall be of a professional finish and be one consistent colour over the whole of the vehicle's bodywork