



Vehicle Advertising Policy

Associated with an application for a Hackney Carriage or Private Hire Vehicle Licence within the Former Allerdale Area.

Version 1.1 (2023)

Former Allerdale Area Licensing Department

Cumberland Council

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Introduction

1. The Council recognises the need for the use of advertising on the body of Hackney Carriage and Private Hire Vehicles both as a way of vehicles subject to pre booking being readily identifiable by customers and commercial advertising is potentially a valuable source of additional income for licencees.
2. In line with the Conditions of Application, the Licensing Department must consent to all advertising which is to be displayed on a licensed vehicle including any driver's name, company names and contact details. For the avoidance of any doubt the words sign and advertisement shall apply to any signage, advertising, notice or mark, illumination or similar feature regardless of size and positioning on the vehicle. It is not to include those permitted by law and prescribed in the Conditions of Application (i.e. roof signs and chequered stripes).
3. Consent to such advertisement will be granted in line with the guidelines outlined in this policy.
4. This policy will have effect from 18 January 2017 and relates only to any application

Application for Consent

5. Applications must be made in writing to the Licensing Department and be accompanied with the following:
 - 5.1 A non-refundable fee of £15.00 per application towards the required administration costs in assessing the application and arriving at the decision.
 - 5.2 A detailed graphical representation including dimensions of the proposed advertisement, colour and a representation of where the proposed advertisement is to be placed. The quality of submissions must be of an acceptable standard. No faxes will be accepted. Full details of the advertising proposals must be provided including the specific vehicles the advertisement is proposed for.
 - 5.3 A contact name and telephone number of the organisation to be represented in any sign or advertisement.
6. All incomplete applications will be rejected and returned with the fee.
7. Where the Licensing Department requires further information over and above that

outlined in paragraph 5, the applicant will be given a period of 28 days to oblige the request. Failure to comply within this time will lead to the application being rejected and the fee returned

8. Once granted, the licence holder of a vehicle carrying any advertisement shall ensure that the letter of approval from the Council to display the advertisement on the vehicle, shall be kept at all times within the particular vehicle. It shall be available for inspection by an Authorised Officer, the Council's appointed testing station or Police Officer on request. This approval will also be checked at every occasion the vehicle is tested at the Council's appointed testing station. Any discrepancies between the approved advertisement and what is displayed on the vehicle will be reported back to the Licensing Department and further action may be taken.
9. The Licensing Department will consider each application on its own merits and determine accordingly.
10. All advertisements must comply with the British Code of Advertising Practice, Sales Promotion and Direct Marketing (The Code). Applicants should refer to The Code itself for a full explanation of the guidelines and it is the responsibility of the agency or individual seeking the Local Authority's approval to ensure that they do so.
11. No signs or advertisements will be consented where they could potentially cause a distraction or be of a danger to other road users.
12. Each proposal will be considered on its merits but the following advertisements will not be approved:
 - 12.1 Those with political, racial, religious, sexual or controversial texts;
 - 12.2 Those for escort agencies, gaming establishments or massage parlours;
 - 12.3 Those displaying nude or semi-nude figures;
 - 12.4 Those likely to offend public taste (depicting violence, obscene or distasteful language or causing offence on the grounds of race, religion, sex, sexual orientation or disability);
 - 12.5 Those which have any reference to alcohol, tobacco/cigarettes and drugs
(advertisements promoting alcohol licensed premises will be considered separately);
 - 12.6 Those promoting discounted fares;
 - 12.7 Those advertising jobs;
 - 12.8 Those which detract from the integrity and/or identity of the vehicle;
 - 12.9 Those which seek to advertise more than one company/service or product (this applies only to those which advertise anything other than the taxi business).

13. No vehicle shall be permitted to bear any sign or advertisement which will be perceived as dishonest or is likely to mislead, by inaccuracy, ambiguity, exaggeration, omission or otherwise
14. No sign or advertisement shall be located on, or next to any sign or advertisement required by law or local condition or in such close proximity that the sign is obscured for example, the Council licence plate or the cars registration plates.
15. The holder of a vehicle licence shall not remove or obscure any warning signs, safety messages or any other information or signage displayed on a licensed vehicle that is present when it is supplied by the manufacturer and that is aimed at assisting passengers to identify the type or features of the vehicle.
16. A vehicle shall not be permitted to bear any sign or advertisement which will obstruct lights, mirrors or any safety feature of the vehicle.
17. The Council shall have no responsibility to the organisation represented or the vehicle owner, operator, proprietor, driver or any other person should any situation occur whereby the display of the advertisement has a detrimental effect on that person, or on that person's name or reputation.
18. Materials used for advertisements must be professional in appearance and manufactured to a high standard so as to be durable and not easily defaced, soiled or damaged or detached. Advertisements must be affixed directly to the body of the vehicle. Reflective material is not to be used.

Maintenance of Consented Advertisement

19. The Vehicle Licence holder will remain responsible for the consented advertisement for the lifetime of the vehicle licence. This must be highly maintained to ensure there is no damage, fading, peeling, bubbling and that it remains free from defect.
20. To ensure the high standard required in clause 19, the Council will allow for the consented advertisement to be replaced in identical design, size, content and location on the vehicle whenever necessary without the requirement of any further consent.

Unconsented Advertisement

21. Unconsented advertisement refers to such adverts without consent, those which deviate from the consented design, size, content and location on the vehicle and those which do not comply with clause 20.
22. Any vehicle bearing an unconsented advertisement will be given 28 days to remove the said advertisement, be granted consent as a result of a successful application or bring the advertisement in line with the previously obtained consent.
23. Failure to comply with the terms of clause 22 will lead to the immediate suspension of the vehicle licence until a time in which the clause 22 is complied with.

Change to Consented Advertisement

24. As stated in clause 20 all changes to a consented advertisement will require a new application and further consent from the Licensing Department.

Removal of Consented Advertisement

25. Notification must be given to the Licensing Department within 28 days of the removal of any advertisement.

If a Vehicle Bearing Advertisements Becomes Unlicensed

26. Should the vehicle become unlicensed for any reason all advertisements which depict or would lead someone to believe the vehicle is a Hackney Carriage or Private Hire Vehicle must be removed immediately

Challenging a Decision

27. Should you wish to appeal any decision made regarding advertising on your vehicle, this should be made in writing to the Licensing Manager within 28 days of the decision.