

POLICY ON ADVERTISING ON LICENSED TAXIS

Falkirk Council as the Licensing Authority attaches a number of conditions when granting or renewing taxi licences. Taxi Operator Licence condition No.12 states inter alia that “no notice advertisement printed bill or other thing shall be displayed on the outside or inside of a taxi, except where the name of the licence holder and the taxi licence number on the outside, without the previous consent of the Licensing Authority”. In the interests of consistency and clarity, the Licensing Authority considers it appropriate to establish a policy for dealing with applications to vary this particular condition where licensees wish to display advertising material on the licenced vehicle.

The following criteria are considered both practical and reasonable:-

All advertising material to be displayed on any taxi requires to be approved by the Licensing Authority. Falkirk Council has however delegated such approval to the Chief Governance Officer or his nominee.

Application for approval of such advertising artwork requires to be made on the appropriate application form and accompanied by two copies of all proposed advertisements in full colour. Applications for advertising must be accompanied by colour copies of artwork showing the advertising as it is intended to appear on the vehicle. All applications for variation require to be made by the licence holder or his/her approved agent.

In general, advertising consent will last for the period that the vehicle is licensed as a taxi. If the advertising is removed from the vehicle whilst still licensed a new variation application will be required.

In general all advertisements must comply with the British Code of Advertising Practice issued by and amended from time to time by the Advertising Standards Authority i.e.; all advertisements must be legal, decent, honest and truthful.

In general, each application for approval of advertising material will be considered on its own merits but advertisements will not be permitted which advertise or promote the sale of alcohol or tobacco products; nor if they contain political, ethnic, religious, sectarian, sexual or controversial text; display nude or semi-nude figures; or are likely to offend public taste; depict men, women or children as sexual objects; depict direct and immediate violence to anyone shown in the advertisement or observing it; advertise any racist group or organisation which intends to promote such a group or such organisation and/or any of its activities.

Prior to displaying any advertisement for which an application for variation is required the holder of the taxi licence shall have paid to the Council the appropriate fee for variation of the relevant licensing condition.

The licensee remains responsible for the content of any advertisement displayed on his vehicle, whether internal or external. It remains the licensee's responsibility to comply with the current law and British Code of Advertising Practice referred to above irrespective of any consent to display the advertisement which may have been given by the Licensing Authority.

It remains the responsibility of the licensee to ensure that none of the advertising material obscures the driver's vision, the vehicle's licence plates, or the name of the licensee or constitutes a danger to passengers or the public where they are displayed on the vehicle.

Any applicant seeking exemption from any fee, which would otherwise be due, on the basis that the advertising campaign is non-commercial shall provide full details of the campaign at the stage at which approval of the advertising material is to be sought and the request shall be considered by the Licensing Authority.

Only one supplier or brand name may be advertised on the taxi at any time.

Material used for advertisements must be of a quality not easily defaced or detached. No paper based materials or water soluble adhesive paste may be used. Advertisements must be fixed directly to the body of the taxi or initially attached to an approved magnetic panel which is then attached to the taxi.

Fees for variation of a licence - £36

Advertisements will be checked at the annual and random inspections of the vehicle but if a licensee wishes to materially change or amend an advertisement during the course of the year a further variation fee of £36 will be payable.

Each application will be considered on its own merits.