

**Report of** Head of Licensing and Registration

**Report to** Licensing Committee

**Date:** 15 October 2013

**Subject:** Proposed policy – The approval of free Wi-Fi in wheelchair accessible vehicles with approved corporate livery

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### Summary of main issues

1. The Council has an existing policy in respect of 'Corporate Livery' on wheelchair accessible vehicles. That policy controls the type of advertising to ensure it matches the principles of the Advertising Standards Agency.
2. A proposal has been submitted to extend the scope of corporate advertising by offering free Wi-Fi access in vehicles that have corporate livery, which, if taken up by the passenger would display a 'pop up' advertisement on their mobile device screen that matches the advertising on the vehicle.
3. Legal Services have advised that due to the nature of this proposal, an amendment to the existing Corporate Livery policy is sufficient rather than a new policy.

### Recommendations

4. That Members note the information in this report and approve in principle an amendment to the existing corporate livery policy and direct officers to prepare a report for the consideration of the Executive to approve the amendment.

## **1 Purpose of this report**

- 1.1** A proposal has been submitted by a marketing company to offer free Wi-Fi to passengers in licensed Hackney carriages which already carry approved corporate livery. **Appendix 1**
- 1.2** It should be noted that this policy is not approving this supplier for sole provision of the Wi-Fi service in vehicles; the policy will allow any supplier to approach Hackney carriage proprietors with their proposals. This policy provides the necessary controls and framework that all suppliers and proprietors must meet. The supplier mentioned in this report is for illustrative purposes only.
- 1.3** The provision of a free Wi-Fi facility is a natural extension to the existing Corporate Livery policy (Appendix 2); and Legal Services have advised that it is necessary for it to be considered as an amendment to the existing policy.

## **2 Background information**

- 2.1** The company concerned already engage in the business of providing advertising on Hackney carriages in Leeds from a variety of safe sources and which are allowed in accordance with the existing policy approved by the Licensing Committee on 15 January 2013. This proposal is an extension of the service they deliver for companies seeking to advertise in this way.
- 2.2** When a passenger travels in such a vehicle and elects to use that Wi-Fi 'hotspot' an advert will appear on the screen of their mobile device which corresponds with the nature of the corporate livery on the vehicle. This advert can then be closed to allow access to the internet. It is for the passenger to decide if they wish to use the free Wi-Fi opportunity and they must opt in to gain access.
- 2.3** This report applies to licensed vehicles solely in respect of the corporate advertising aspect. If any proprietor wished to offer a free Wi-Fi service within a licensed vehicle which does not involve corporate advertising, then it would not need to refer to the Council for approval.
- 2.4** Enquiries by Officers reveal this facility is already in place in TfL, Newcastle, Manchester, Reading, Glasgow and Birmingham licensing authorities.

## **3 Main issues**

- 3.1** Officers have considered the implications for the Council and these are highlighted at part 4.5. of this report.
- 3.2** This innovative step within Hackney carriages should also be seen in the context of free Wi-Fi access already widely available on trains, licensed premises, open spaces and bus shelters and as such is considered to be a low risk.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The information contained in this report has not been the subject of consultation with the trade as it is an individual proprietor's business opportunity and decision only and not a mandatory issue.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 There are no issues. The principal of the advertising content will already have been approved in the 'corporate livery' process which is in accordance with ASA standards.

### **4.3 Council policies and City Priorities**

- 4.3.1 The Taxi & Private Hire Licensing policies contribute to the following aims:

#### **Best Council Plan 2013 -17**

#### **Towards being an Enterprising Council**

#### **Our Ambition and Approach**

**Our Ambition** is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

**Our Approach** is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

#### **Our Best Council Outcomes**

Make it easier for people to do business with us

#### **Our Best Council Objectives**

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs,
- Boosting the local economy
- Generating income for the council

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time
- Improving customer satisfaction

- 4.3.2 The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

#### **4.4 Resources and value for money**

4.4.1 As this is an information report there are no resource or value for money issues to consider.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 In view of this being a policy matter that enables a personal choice on the part of the licensed vehicle proprietor, the legal implications are limited to overseeing the Constitutional process and the role of the Licensing Committee and Executive policy creation.

#### **4.6 Risk Management**

4.6.1 Although there are no perceived risks, any management organisation responsible for the set up and maintenance of the Wi-Fi system and advertising content will sign a disclaimer absolving the council of responsibility. This of course cannot be open ended and the Council will protect its interests with a clear legal statement and acknowledgment prior to final approval of the policy

### **5 Conclusions**

5.1 That there is a consumer benefit and a trade benefit in developing an appropriate council policy, which, with endorsement by the Licensing Committee, would benefit the image of Leeds City Council in encouraging enterprise, service to the travelling public and the financial opportunities available to proprietors

### **6 Recommendations**

6.1 That Members note the information in this report and approve in principle an amendment to the existing corporate livery policy and direct officers to prepare a report for the consideration of the Executive to approve the amendment.

### **7 Background documents**

Corporate advertising policy

### **8 Appendix**

1. Proposal report by Ubiquitous
2. Corporate Livery Policy
3. Disclaimer to be signed prior to Executive approval