

REPORT TO STRATEGIC SCRUTINY COMMITTEE

Date of Meeting: 14th March 2024

Report of: William Nowell, Business Development and Brand Lead

Title: Ethical and Low Carbon Advertising

Is this a Key Decision?

Scrutiny is a non-decision making committee

Is this an Executive or Council Function?

Scrutiny is a non-decision making committee

1. What is the report about?

- 1.1 This report brings together information requested by Members on the topic of enhancing the council's current ethical advertising policy.
- 1.2 At a previous scrutiny meeting Members were asked to submit their thoughts around changes to the policy. These are attached at Appendix 1 and 2.
- 1.3 The report is for noting only.

2. Recommendations:

- 2.1 Members are asked to note the contents of this report.

3. Reasons for the recommendation:

3.1 A Notice of Motion was presented at Council by Councillor Sparling in April 2023 regarding ethical and low carbon advertising. It was amended in accordance with Standing Order 6 (5) and referred to the appropriate Scrutiny Committee.

3.2 A subsequent report was presented to Strategic Scrutiny Committee in June 2023 relating to current corporate advertising arrangements and the existing Ethical Advertising Policy. Further information was sought to better understand the matter. Members were also asked to submit any suggested changes to the policy to be put forward.

3.3 This second report brings together the information for noting and discussion.

4. What are the resource implications including non-financial resources?

- 4.1 Scrutiny is a non-decision making body.

5. What are the legal aspects?

5.1 This matter has been the subject of two previous reports to Strategic Scrutiny committee on 22 June 2023 (Ethical and Low Carbon Advertising - Director Jon-Paul Hedge) and 21 September 2023 (Ethical and Low Carbon Advertising: Planning policy considerations – Director Ian Collinson, author George Marshall).

5.2 The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of

Advertisements) (England) Regulations 2007. Advertisements are controlled with reference to their effect on amenity and public safety only. There are 3 categories of advertisement consent: (i) Those permitted without requiring either deemed or express consent from the local planning authority; (ii) Those which have deemed consent; and (iii) Those which require the express consent of the local planning authority. Consideration therefore of the further detailed report on planning policy aspects will be necessary to understand the scope of the proposed ethical and low carbon advertising report. Any amendment to local planning policy is likely to have to feature in the new Local Plan and will be subject to consultation and review by a Planning Inspector.

5.3 There are presently contracts in place for both ECC controlled advertising and joint Devon County Council and Exeter City Council advertising.

5.4 Members will also note that there is statutory guidance on advertising, including the Code of Non-Broadcast Advertising and Direct and Promotional Advertising.

6. Report details

6.1 The Council's adopted Ethical Advertising Policy sets the parameters for acceptance of advertising on council assets. It is separate to a Devon County Council wide agreement with Clear Channel.

6.5 From April 2023 to February 2024 £203,505 income was generated through advertising on council facilities. The income budget for advertising for 23/24 is £200,000 and is expected to face budget pressures due to the impact of the recession on local business spend.

6.6 At the previous Scrutiny, a question was asked around how much income Exeter City Council (ECC) would lose if they were to limit advertising to avoid products and services that contribute to climate change and air pollution. This is difficult to calculate because of direct and indirect contributions to carbon emissions. It is conservatively anticipated that around £18,500 this year would have been lost through direct advertisers (Car sales etc). ECC predominantly supports local businesses.

6.7 Three members submitted a number of comments, set out in Appendix 1 and 2.

6.8 Members sought information regarding emissions from ECC's current digital advertising. This information is provided in section 10.

6.9 Exeter City Council has purposely moved from print towards digital advertising. To phase out the use of digital advertising screens by 2030 would end all paid for advertising on Exeter City Council's 20 digital displays.

6.10 Some Members also suggested that the current Ethical Advertising Policy should also be extended to the contract between Clear Channel, Devon County Council and Exeter City Council for supply and maintenance of bus shelters within Exeter. Copies of the contract have been provided to those Elected Members who requested it.

7. How does the decision contribute to the Council's Corporate Plan?

7.1 The Ethical Advertising Policy contributes to the following Council Corporate Strategic priority of:

- A prosperous local economy
- A well run council

8. What risks are there and how can they be reduced?

8.1 No decisions are being taken at this time.

9. Equality Act 2010 (The Act)

9.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- Advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- Foster good relations between people by tackling prejudice and promoting understanding.

9.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

9.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

9.4 No potential impact has been identified on people with protected characteristics as determined by the Act because the report is for noting and discussion only.

10. Carbon Footprint (Environmental) Implications

10.1 Energy Consumption of Exeter City Council owned digital display boards:

Location	Size	Quantity	Energy Consumption Per Unit: Hour / Day	Operating Hours
Exeter St David's	43 inch external	1	190w / 3610w	5:00-00:00
Exeter Central	43 inch internal	1	45w / 855w	5:00-00:00

Exeter Bus Station	75 inch internal	2	330w / 6105w	5:30-00:00
St Sidwell's Point	75 inch internal	1	300w / 4650w	6:30-22:00
Riverside Leisure Centre	65 inch internal	1	300w / 4650w	6:30-22:00
Leonardo Hotel	43 inch internal	1	45w / 360w	5:45-00:00
Corn Exchange Box Office	43 inch internal	1	45w / 360w	10:00-16:00
Exeter Central Library	43 inch internal	1	45w / 360w	9:00-18:00
John Lewis	43 inch internal	1	45w / 360w	9:00-18:00
RAMM	43 inch internal	1	45w / 315w	10:00-17:00
Guildhall Shopping Centre	65 inch internal	9	300w / 4650w	6:30-22:00

11. Are there any other options?

This is not applicable as there are no changes proposed at this time.

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

Strategic Scrutiny report and minutes from June 2023: Ethical and low carbon advertising

Director: Jon-Paul Hedge, Director.

Author: William Nowell, Business Development and Brand Lead

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265115