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Melanie Dawes  
Permanent Secretary  
Department of Communities and Local  
Government  
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Date: 19<sup>th</sup> May 2016

[psmelaniedawes@communities.gsi.gov.uk](mailto:psmelaniedawes@communities.gsi.gov.uk)

Dear Ms Dawes,

**Re: Code of Recommended Practice on Local Authority Publicity**

I write in connection with the letter from The Right Honourable Greg Clark MP to Councillor Chris Robbins dated 19th April in connection with the above.

As this raises an issue as to the legality of any Direction that might be made, this has been passed to me for response.

The Council has previously set out in some considerable detail its position in this regard and has kept its position and the applicability of the Code under review since our last correspondence. Whilst not repeating the points raised previously here the Council remains of the view that the matters set out in its letters of the 29 April 2014, 29 September 2014, 9 October 2014 and 24 March 2015 remain highly relevant. I attach those letters again for ease.

The Council is required to have regard to the Code, which we have as previously set out, not slavishly follow it as seems to be the Minister's view.

The Council remains of the view that any Direction under 4A of the Local Government Act 1986 would be unlawful. There is no evidence of negative impact on local media. Likewise we consider that the need to ensure we do not waste or risk resources or provide poor value for money supports the frequency of our publication. Waltham Forest News is delivered to more than 97,000 households, it is the only way we can reach some of our community including those which are otherwise inaccessible. Waltham Forest News is therefore the compliant way for the Council to satisfy itself that its public notices are properly disseminated (other local newspapers circulating in the area do not have the

breadth of readership), with proper regard to the Public Sector Equalities duty and ensure that topics such as the Prevent agenda are dealt with and communicated. Whilst the Secretary of State's letter has been passed to me for substantive legal response the council's leader, Chris Robbins, has written directly to The Right Honourable Greg Clark setting out in more detail the importance of Waltham Forest News to meet the Council's duties in this regard.

We have previously provided you with certain data to support our position in this regard but can see no sign that the Council's detailed representations so far have been taken into account previously or in the latest correspondence from the Secretary of State.

There seems little merit in repeating all that information here (albeit I have attached it for your ease) but I have set out below a few key relevant facts which have been refreshed since our last correspondence.

Title	Frequency	Free / Paid	Start Date (where known)	Coverage	Circulation
Waltham Forest Guardian	Weekly (plus website)	Paid	Unknown – pre 2000	Whole borough	3,678 (ABC certified Dec 14 –Jan 16)
Chingford Times	Fortnightly (plus online edition)	Paid	June 2011	Chingford	No published circulation figures
Yellow Advertiser	Weekly (plus <a href="http://www.walthamstow-today.co.uk/">http://www.walthamstow-today.co.uk/</a> )	Free	Unknown but pre 2003	Across the borough	13,125 (not ABC audited)
Waltham Forest Echo	Monthly (plus website)	Free	July 2014	Borough	20,000 copies via shops and Community spaces (not ABC audited)
Leyton Life	Every 2 months- since December 2014 online only (but not for reasons relate to WFN- see <a href="http://www.leytonlife.co.uk/">http://www.leytonlife.co.uk/</a> )	Free	2006	Leyton	Not known (not accredited)
The E-List	Monthly (online)	Free	2013	Walthamstow Leyton & Leytonstone	12,000 copies, including 10,000 through letterboxes)

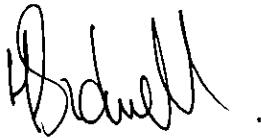
Whilst the figures show that there has been a decline for some existing titles the Council has statistics which shows that this decline started in 2002 several years before Waltham Forest News was published in its current form on a fortnightly basis. Of the three reported

new titles launched since Waltham Forest News commenced fortnightly publication Waltham Forest Echo, the E-List and Chingford Times all are still running. There is a flourishing alternative media as well as the new titles set out above and clear evidence that a strong independent media exists in Waltham Forest and no correlation between the fortunes of our local press and the existence or frequency of Waltham Forest News on our local press.

We still do not know the outcome of the government's pilot into alternative methods of public notices despite the pilots concluding several months ago. It would therefore appear that the requirements on local authorities to publish public notices are unlikely to be changed in the immediate future, although what the pilots have revealed about the genuine necessity or otherwise of these requirements may well be relevant to the issues concerning state aid.

Taking these factors into account and reconsidering the matters as previously set out in our correspondence we remain of the view that, having regard to the Code, and our prevailing circumstances it is appropriate for us to retain a fortnightly circulation of Waltham Forest News.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'H. Sidwell', with a stylized, cursive script.

Helen Sidwell

Interim Director Of Governance and Law

