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From: Farrell, Joanne [mailto:joanne.farrell@salford.gov.uk]  
Sent: 04 May 2013 06:20  
To: [mailto:mark.coram@communities.gsl.gov.uk]  
Subject: Publicity Code Consultation 2013 - Response Deadline 6th May 2013

Importance: High

Attachments: Response\_form\_-\_Publicity\_Code\_Consultation.doc



Response\_form\_-\_  
Publicity\_Code...

Dear [redacted]

Please find attached the response from Mr Ian Stewart, Salford City Mayor in response to the consultation on the Publicity Code.

Regards

Joanne Farrell  
Office of the City Mayor

Salford City Council, Chorley Road, Swinton, M27 5DA

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# Response form

## Publicity Code Consultation 2013

### About you

#### i) Your details

Name:	Ian Stewart
Position (if applicable)	Salford City Mayor
Name of Organisation (if applicable)	Salford City Council
Address:	Salford City Council Civic Centre Chorley Road Swinton M27 5FJ
e mail:	[REDACTED]
Telephone Number:	[REDACTED]

ii) Are the views expressed on this consultation an official's response from the organisation you represent or your own personal views?

Organisational response

☒

Personal views

☐

iii) Please tick the box which best describes you or your organisation:

District council	
Metropolitan district council	X
London borough council	
Unitary authority/county council/county borough council	
Parish council	
Membership organisation	
Newspaper proprietor	
Newspaper staff	
Business	
Councillor	
Member of the public	

Other	
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(please comment):	
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## Questions:

1. Views on the proposed legislation are invited, and in particular do consultees see the proposals as fully delivering the commitment to give greater force to the Publicity Code by putting compliance on a statutory basis?

Salford City Council strives to achieve a cost effective approach to providing information to the public, so we find it disappointing that any proposed changes to the Local Government Publicity Code do not utilise the opportunity to change requirements to publish notices in a local newspaper and reflect the public's increased access and receptiveness to websites and other online public communications, which potentially would offer significant savings.

A change in compliance is unnecessary. As a responsible organisation Salford City Council can be empowered to work within the existing recommended code, and as an elected City Mayor, I am directly accountable to local citizens.

The existing regime in respect of local authority publicity is already quite stringent. There is a prohibition on local authorities publishing party political material and more broadly local authorities are required to have regard to the quite detailed provisions of the code – a local authority must be able to demonstrate good reason for departing from it. This should be sufficient.

2. If there is alternative to the power of direction, how will this meet the aim of improved enforcement of the code?

As has been recognised, most local authorities are compliant with the publicity code. In respect of the particular concern regarding local authority newspapers, the 2011 revision of the publicity code sets out clear guidance which many authorities including Salford City Council follow. The expressed concern that there is not an adequate enforcement mechanism available only relates to a small number of authorities that the government consider to be non-compliant with the publicity code. Under the current regime there already exists a mechanism by which a person or organisations with adequate 'standing' might challenge a decision by a local authority in respect of the publicity – namely an application for judicial review.

Given that most authorities are compliant with the publicity code, the changes proposed are unnecessary. Ministerial involvement in publicity matters can be construed as being at odds with the government's localism agenda and commitment to passing new powers and freedoms to town halls. Furthermore, given that it is proposed that a direction by the Secretary of State could have



a broad application (i.e. to a category of local authorities or to all local authorities) there is a risk that a direction could amount to a de facto revision of the publicity code, but without the proper parliamentary scrutiny that would accompany a formal revision (under section 4 of the 1986 Act) of its provisions.

3. This consultation invites evidence of the circumstances where the code was not met and the implications of this on competition in local media

Salford City Council does not have any examples of non-compliance to offer the consultation.

