

Individual 12

From: andrew.north [REDACTED]
Sent: 09 April 2013 14:49
To: [REDACTED]
Subject: Publicity Code consultation 2013
Attachments: Response_form_-_Publicity_Code_Consultation (AN).doc

<<Response_form_-_Publicity_Code_Consultation (AN).doc>>

Please find attached a response to this consultation which expresses a personal view

Andrew North

Chief Executive
Cheltenham Borough Council

[REDACTED]
Follow me on Twitter [REDACTED]

This email (and any attachments) is strictly confidential and is intended for the use of the addressee only. If you are not the addressee please notify the sender at Cheltenham Borough Council (CBC) and delete the message and any attachments. Emails are virus checked, however, CBC does not accept any liability for any loss or damage. The security of any information sent by email to CBC cannot be guaranteed. Any information sent to CBC may be copied to other council officials or outside agencies in line with legislation. www.cheltenham.gov.uk

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless Worldwide in partnership with MessageLabs. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisation's IT Helpdesk.
Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

16/05/2013

Response form

Publicity Code Consultation 2013

About you

i) Your details

Name:	Andrew North
Position (if applicable)	Chief Executive
Name of Organisation (if applicable)	Cheltenham Borough Council
Address:	Municipal Offices Promenade Cheltenham GL52 6HN
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	X
Metropolitan district council	
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	

(please comment):	
-------------------	--

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?

The proposed legislation is unnecessary and runs counter to the professed commitment of the coalition government to localism. Local authorities are obliged to have regard to the statutory code and may be susceptible to challenge by way of judicial review or through the Local Government Ombudsman if they fail to follow proper process or reach an irrational decision. More fundamentally, if local people dislike receiving communications from their council or feel they are in danger of being denied a valuable facility in their local newspaper they can address the issue through the local elections process.

In reality this proposal would appear to have more to do with central government's desire to control certain detailed aspects of the working of local democracy in relation to which the Secretary of State has taken an arbitrary and centralist position.

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

As mentioned local authorities are susceptible to challenge on the grounds of process or irrationality – and local arrangements can be challenged through the ballot box in local elections.

The damage which will be done to local democracy by the implementation of this proposal, through deterring or denying a potentially valuable communication channel with the public as well as the centralist philosophy this proposal reflects, will outweigh any advantage that might be gained.

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

Evidence would suggest that newspapers are under commercial pressure as a result of broadcast and internet based media and social media. It is absurd nonsense to suggest that council newsletters are a significant cause of the decline in newspaper sales or advertising – and indeed no evidence to support that contention is included in the consultation document.

As the consultation document correctly says local newspapers are "important contributors to sustaining a vibrant local democracy" so it is hard to see why the coalition government would want to regulate the relationship between councils and local newspapers in the proposed way. In reality there is a symbiotic relationship between local councils and newspapers with councils

offering a vital source of copy and newspapers offering local politicians and councils a platform to explain their views, policies and activities.

