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From: Gartshore, Simon [REDACTED]
Sent: 07 May 2013 10:36
To: [REDACTED]
Subject: Westminster City Council - Response to Publicity Code Consultation
Attachments: Response_form_-_Publicity_Code_Consultation (1) (2) (2).doc
Dear [REDACTED]

Please find enclosed on behalf of the Leader of Westminster City Council.

Kind regards

Simon Gartshore
Member Services Manager
[REDACTED]

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16/05/2013

Response form

Publicity Code Consultation 2013

About you

i) Your details

Name:	Cllr Philippa Roe
Position (if applicable)	Leader
Name of Organisation (if applicable)	Westminster City Council
Address:	Westminster City Hall 64 Victoria Street London SW1E 6QP
e mail:	leader@westminster.gov.uk
Telephone Number:	

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

Organisational response

☒ Y

Personal views

☐

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

District council	
Metropolitan district council	
London borough council	Y
Unitary authority/county council/county borough council	
Parish council	
Membership organisation	
Newspaper proprietor	
Newspaper staff	
Business	
Councillor	

Member of the public	
Other	

(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?

The creation of new laws should only be carried out in exceptional circumstances. The Government should be looking to reduce the legislative burden for local authorities and businesses and concentrate on the issues that matter. There is no need to impose new laws that would simply increase bureaucracy and give money to lawyers seeking to define what communication activities are or are not covered.

If the objective of the Government is to revitalise the local newspaper industry then we would fully support this. A genuine engaging local press that has an active interest in work of local authorities is vital to effective democracy. However, it is debatable whether this has happened with the good work of many in providing the best in services not seen as news. Councils have a duty to keep people informed about what they are doing and the services that are available to communities and as a result it is only fair that they should be allowed to decide on how to do this in an engaging way. We choose to do this through the publication of a quarterly magazine to residents and other forms of communications materials. We believe it is our democratic decision to do so.

We support a vibrant local press operating in a genuine free market, but we do not support businesses that do not maintain their own competitiveness - propping up failing industries never works. The internet swept away the local newspaper monopoly on small ads and has provided very fair competition. It is not the fault of local authorities that the industry did not keep up or that local authorities should be penalised or bear the cost of paper advertising. The shocking fact is that the state subsidy from Westminster City Council to our local newspapers is nearly £80,000 in posting statutory notices. The question of whether this is the right use of taxpayers' money would be an important issue for debate.

The Publicity Code is generally a sound document which most local authorities follow as not only common sense, but reflecting local priorities. If it is not followed locally then it should be for local people to decide if it should. Even if a law was enacted it would do nothing to save local newspapers which seem to be in a terminal decline. It would be far more effective if the Government did more to strip away laws that restrict all businesses, including

local newspapers, with unnecessary bureaucracy and make it easier for people to set-up and run local newspapers. This law will do nothing to support the local newspaper industry.

We also believe that this proposed new law will do nothing but increase bureaucracy and comfort a dying industry. It would be better for the Government to shake up the local newspaper industry to be more competitive and innovative themselves, than accuse local authorities of being the source of their problems.

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

The enforcement of the code should not be the main objective. Supporting the local newspaper industry and creating a more competitive, dynamic environment would be a better way forward.

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

In Westminster we fully comply with the code and have made a democratic decision to do so. If local authorities are accused of breaking the code then there already exists a straight forward and common sense evaluation.

If there was a law then this would encourage local newspapers to seek or threaten expensive litigation against the council. There could, as a result, develop an industry for lawyers in seeking extra revenue for local newspapers, perhaps on a no-win no-fee basis. Chasing imaginary unfair competition from local authorities will distract them from the real causes of their decline.

The Government should do the right thing by saving parliamentary time in not introducing this new law. It would encourage the local newspaper industry to address deep-seated issues, rather than pander to unfounded concerns.

