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From: Andy Allsopp [REDACTED]
Sent: 07 May 2013 15:26
To: CONSULTCOORD: [REDACTED]
Subject: Code of practice consultation response
Importance: High
Attachments: Final.LBH.PublicityCodeConsultation.doc
Dear [REDACTED]

Please find attached the London Borough of Hounslow's response to the code of practice consultation.

Yours sincerely,
Andy Allsopp
Head of Corporate Communications | [REDACTED]
London Borough of Hounslow | [REDACTED]
Web: www.hounslow.gov.uk

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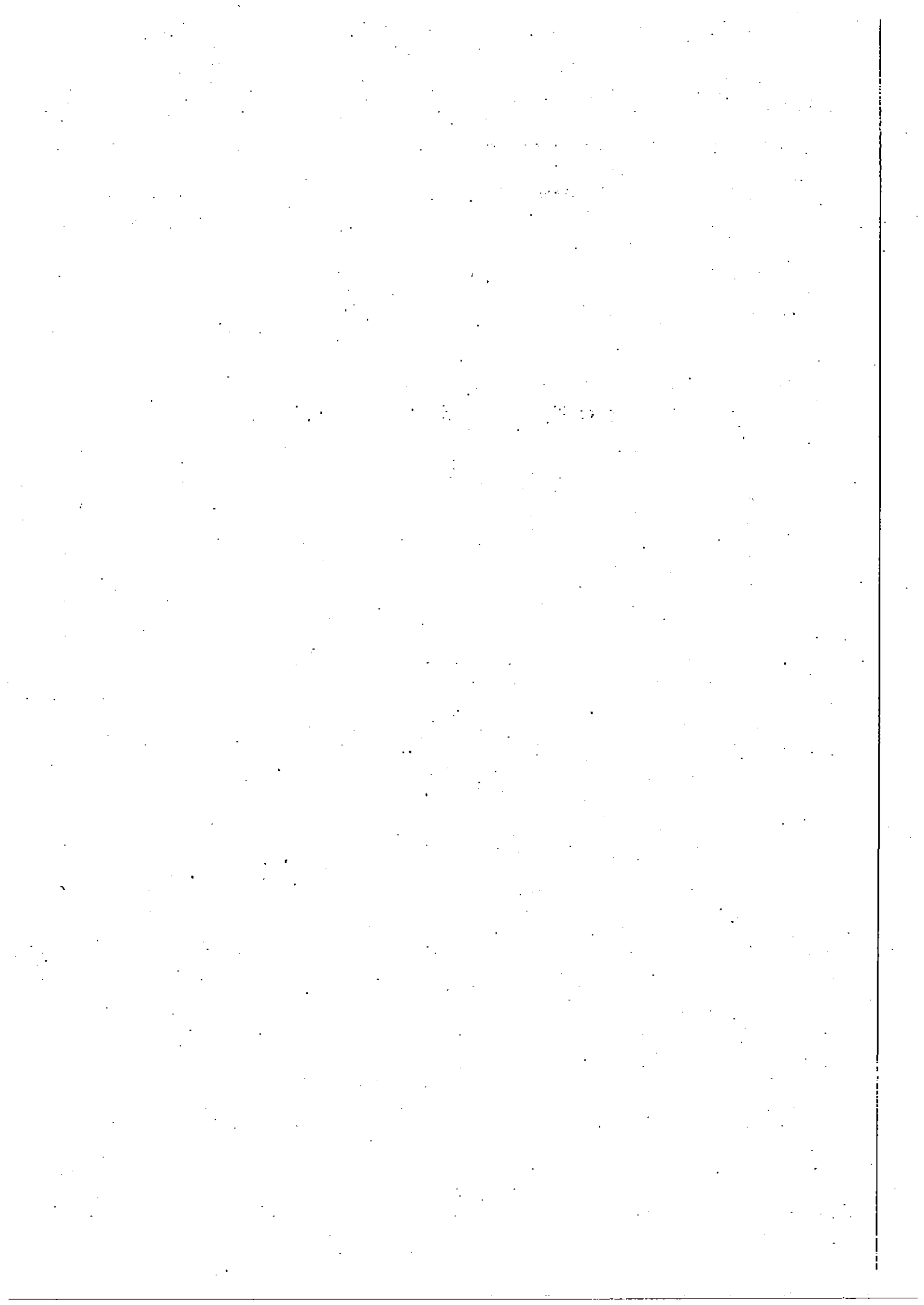
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16/05/2013



Publicity Code Consultation 2013

Hounslow Council is pleased to be able to respond to the Secretary of State's consultation, *Protecting the independent press from unfair competition*.

We note the three questions posed in the consultation paper, and have addressed these, adding some additional comments and observations.

- 1) 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?

Hounslow Council does not agree with the assumption behind this question. The proposed power of direction requiring councils to comply with the Publicity Code is contrary to the Government's stated support for increased localism. It does little more than provide the Secretary of State with a power to sanction councils if they are deemed to have contravened the Code. The Code itself is open to interpretation. Thus the proposals are an unsatisfactory response to policing an unnecessary and unhelpful code.

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

The Secretary of State should be addressing the problem at its root cause, namely, the inadequacies of the Publicity Code itself.

We would like to see more focus in the code on ensuring publicity is balanced but without impinging on the necessary function of Councils to provide information and promote awareness of important local issues.

The code should be redrafted to properly reflect the simple and reasonable requirement for local authorities to communicate effectively with their local communities, based on the needs and wishes of those communities, which should be sought through consultation.

- 3) Evidence of the circumstances where the code was not met and implications of this on competition in the local media

We do not believe that councils, through their residents' publications, are in competition with the local media.

Council publications and the local media provide totally different functions.

Council publications provide information on how taxpayers' money is being spent, the priorities the council is pursuing on behalf of residents, and an opportunity to consult on a formal or informal basis on a wide range of issues which are of importance to communities, including service provision.

The local media, at its core, holds local authorities to account through news reporting, provides a forum for debate and discussion, and may challenge local authorities through both.

The question also implies that council publications cannot operate effectively side-by-side with the local media. In most parts of the country, this is the case, with councils working collaboratively with their local media on a range of products, projects and initiatives.

In Hounslow, for example, the council provides revenue for the local newspaper group in the borough through advertising and through periodically printing council publications. This borough enjoys a constructive relationship with its local media, which is not impeded by its residents' magazine in any way.

Additional comments and observations

The proposals for giving greater force to the Publicity Code have the effect of empowering the Secretary of State to a degree which is unacceptable and would cut against the role of the local authority to represent the interests of its residents on important local issues.

The threat of court proceedings, should the Secretary of State decide that the Code has been breached, firstly denies the local authority the opportunity to represent community views.

Secondly, it compromises the essential community leadership role of the council and its elected members.

Thirdly, it negates the principles of localism already enshrined in legislation.

Councils, within a revised Code of Practice, should be able to respond to the communication and engagement needs and wishes of residents.

In Hounslow, at the most recent meeting of the Hounslow Area Forum, attendees put forward a motion to *increase* the number of editions of the council's residents' magazine, which is currently published on a quarterly basis.

This was based on their dissatisfaction with the lack of opportunity to learn about Council initiatives, community events and also to engage with the council and take part in consultations. It was also based on the situation of the local media, which has an inconsistent circulation across the borough because of distribution arrangements.

A more frequent distribution schedule would also enable Hounslow Council to save taxpayers £100,000 a year in money spent placing public notices in the local media.

Hounslow Council, along with the LGA, believes that it is misguided to force councils to publish statutory notices in the local media in order to prop up the finances of the local newspaper industry at taxpayers' expense. The websites of local authorities or their residents' publications provide a perfectly adequate and more cost-effective means of satisfying this particular requirement.

In conclusion, the proposal to make the Code statutory is an inappropriate response to the inability to enforce the Publicity Code. Instead, there needs to be recognition that it is the Code which was inadequate in the first place, with a subsequent redrafting failing to improve matters.

We would happily engage in a dialogue between the Secretary of State and Councils about how we can properly use local publications as an essential tool for responding to the needs of local communities, whilst operating independently from central government, reflecting the true principle of localism.

Yours sincerely,

Cllr Sachin Gupta,

Cabinet Member for Communities and Communications,

London Borough of Hounslow.

