

Individual 17

From: Mark Jeffery [REDACTED]
Sent: 03 May 2013 16:50
To: [REDACTED]
Subject: b2b: Publicity Code consultation 2013
Importance: High
Attachments: Response form consultation re Publicity Code 2013 Watford BC.doc

Hello [REDACTED]
Could you confirm receipt of this?
thanks

Regards

Mark Jeffery
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[REDACTED]
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16/05/2013

Response form

Publicity Code Consultation 2013

About you

i) Your details

Name:	Mark Jeffery
Position (if applicable)	Communications Manager
Name of Organisation (if applicable)	Watford Borough Council
Address:	Town Hall Watford Hertfordshire WD17 3EX
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	<input checked="" type="checkbox"/>
Metropolitan district council	<input type="checkbox"/>
London borough council	<input type="checkbox"/>
Unitary authority/county council/county borough council	<input type="checkbox"/>
Parish council	<input type="checkbox"/>
Membership organisation	<input type="checkbox"/>
Newspaper proprietor	<input type="checkbox"/>
Newspaper staff	<input type="checkbox"/>
Business	<input type="checkbox"/>
Councillor	<input type="checkbox"/>
Member of the public	<input type="checkbox"/>
Other	<input type="checkbox"/>

(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?

We agree that a thriving independent local media is a vital part of local democracy and we seek to actively support it by providing public information about council services.

Contrary to the premise of the consultation, councils actually support the commercial newspaper industry by paying them more than £26million a year to publish statutory notices (*source: LGA April 2013*)

Additionally many councils take out occasional general advertising of specific council services, valued at an estimated £44million a year (*source: LGA April 2013*)

Many councils also have print and/or distribution contracts with their local newspapers.

At Watford, we currently publish a quarterly magazine which doesn't take paid advertising. We undertook a procurement exercise and employ a local print services company and also a local distribution company, as both offered us best value. These firms provide jobs, in their own sub-sector.

It is right and proper to have publicity codes for local government and councils should have due regard for such guidance. We agree that publicly funded publicity must be objective, balanced and factually accurate. Councils have a duty to provide information about services and to explain and justify the policies and actions they take.

However we oppose the proposal to enshrine the existing publicity code in primary legislation. Adding new statutory legislation, as proposed, is a worrying development as it will enshrine in law legal interference in local matters by central government.

Legislation providing a Secretary of State with a power of direction requiring compliance with some or all of the Code of Recommended Practice on Local Authority Publicity is a threat to local democracy and could inhibit local-elected members from representing their residents.

Placing the ultimate decision making powers in the hands of a Secretary of State is contrary to the localist agenda of the government and is heavy handed. It also runs contrary to the government's professed commitment to reducing regulation and red tape (*Reducing Regulation Made Simple 2010*)

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

From our perspective, we believe the Code should remain in place in the non-statutory current form.

The government has not provided any evidence to demonstrate the Code, as it currently stands, is not working.

Indeed, so far the Secretary of State has not used existing powers against any council around current related legislation, which imposes a duty of Local Authorities to have regard to the Publicity Code (Section 4(1) of the Local Government Act 1986 as amended).

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

We have received no complaints from local newspapers or magazines that our quarterly council magazine competes with weekly and/or monthly commercial publications - and we do not believe this to be the case.

During the consultation for the original codes in 2011, the Communities and Local Government Select Committee concluded *"We found that there is little hard evidence to support the view of the commercial newspaper industry that council publications are, to any significant extent, competing unfairly with independent newspapers"*.

However, the continued subsidy of local newspapers by councils through enforcement of publishing statutory notices in local newspapers is of more concern and should be addressed urgently.

We are forced, by law, to spend tax payers' money on statutory adverts, which could be published on a council's website and notice boards etc at minimal cost and reach more people.

These statutory requirements pre-date the internet and this situation is out of date, uncompetitive and unfair to taxpayers.

Local newspapers are an appropriate medium for particular public notices. However, council staff are in the best position to decide on what means are most effective and provide best value for particular statutory notices.

