

Publicity Code Consultation - LGA Response

Purpose of report

For information.

Summary

This report sets out the LGA's full response to the Department for Communities and Local Government (CLG) consultation on the code of recommended practice on Local Authority Publicity and a summary of the findings of the LGA survey of councils to examine what, if any impact council publications have on local newspapers.

Recommendation

Members are asked to note the findings of the LGA's survey of council publications and LGA's response to the consultation.

Action

None.

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Publicity Code Consultation – LGA Response

Background

1. In March 2011 the Government introduced a new Publicity Code for Local Government. The Code sets out recommended practice on issues such as frequency of council publications, campaigning and retention of lobbyists.
2. In April 2013, the Government launched a four-week consultation on proposals to introduce legislation to provide the Secretary of State with powers to make directions requiring compliance with some or all of the Code.
3. The main focus of the proposals is to ‘protect the independent press from unfair competition’ by limiting the number of council newsletters to no more than four a year. In addition, some restrictions would be placed on councils in relation to other elements of local publicity.
4. This paper sets out our formal response to the proposals (attached at **Appendix A**) and a summary of new research undertaken.

The Issue

5. Currently, councils must be able to demonstrate ‘due regard’ for the Code in all communications activity.
6. The Government believes that councils are competing unfairly with the local newspaper industry by, in some cases producing a residents’ newsletter more than four times a year.
7. At the same time, the consultation does not consider the legal requirement placed on councils to publish public notices local newspapers. Councils’ view is that this is an outdated method and does not represent value for money, does not reach large numbers of their residents and is, in effect, helping to subsidise the local newspaper industry.
8. From work undertaken previously (including a CLG Select Committee report) and new research undertaken by the LGA for the purposes of responding to the proposals, there is no evidence that council publications are competing unfairly with local newspapers. It is therefore our view that there is no reason for the existing Code to be put into primary legislation.

Summary of LGA findings

9. The LGA has worked with The County Councils and District Councils Networks, National Association of Local Councils, London Councils and the professional bodies (Chartered Institute of Public Relations and LGcommunications) as well as individual

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councils to co-ordinate the sectors' response. The main element of the response is new research undertaken by the LGA. The response rate was 51 per cent.

10. The main findings are:
 - 10.1. Councils are spending more than £26 million a year on public notices.
 - 10.2. In addition, they spend £17.7 million with local newspapers on general advertising.
 - 10.3. Fifteen per cent of councils have print and/or distribution contracts with local newspapers, providing additional income.
 - 10.4. 10 per cent of councils publish a residents' newsletter more frequently than quarterly.
 - 10.5. 78 per cent of council publications reach 90 per cent or more of the local population.
 - 10.6. Just 1 per cent of local newspapers reach 90 per cent or more.
 - 10.7. The main reasons councils produce newsletters are that they:
 - 10.7.1. carry content not covered by the local newspaper;
 - 10.7.2. reach more households; and
 - 10.7.3. offer the best value for money (VFM).
 - 10.8. 81 per cent of councils say that if they are required by law to reduce the frequency the cost to local taxpayers would increase as they would have to produce more leaflets and undertake more direct mailings.
 - 10.9. 84 per cent of councils say there are more cost-effective ways to publish public notices, such as on websites and direct emails.

Conclusion and next Steps

11. Our research shows that there is little evidence to support the assertion that council publications are competing unfairly with local newspapers.
12. The Codes as currently set out also appear to limit councils' ability represent their residents on national matters which may have a local impact.
13. We have had a very clear steer from all tiers of local government that the current status of the Codes should remain and that they should not be placed into legislation.