

Report to the Cabinet

Report reference: C-109-2008/09

Date of meeting: 9 March 2009



**Epping Forest
District Council**

Portfolio: Leader.

Subject: Department for Communities & Local Government (DCLG) –
Consultation on Local Government Code of Publicity.

Responsible Officer: Tom Carne (01992 564039).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

To consider the attached schedule of responses to the consultation document as proposed by the Constitution & Member Services Standing Scrutiny Panel (SSP) for submission to DCLG by the 12 March 2009 deadline.

Executive Summary:

The Overview & Scrutiny Committee (OSC) meeting on 29 January 2009, following representations by the Leader of Council, asked for more detailed consideration to be given by the SSP of a recent consultation document on changes to the Publicity Code as a result of new Government proposals for community leadership and promotion of democracy, giving more prominence to individual Councillors in that role.

The report brings forward responses to the 16 questions posed by the consultation document as a result of the Sap's review on 23.2.09

Reasons for Proposed Decision:

It was the request of the Leader of the Council that the Cabinet should have the opportunity of commenting on the SSP's proposed response before the deadline. This request was agreed by the OSC.

Other Options for Action:

To not respond.

Report:

1. The Government has published a consultation document on changes to the Code of Local Authority Publicity. This is the first stage of a two-stage process which envisages, as its second stage, a further consultation on the revised wording of the Code itself. The Code is designed to give guidance to local authorities on the proper use of public funds for publicity. Principally, this is concerned with ensuring that publicity is not "political" in nature and focuses on the powers and duties of the authority in an impartial manner, particularly in the immediate period before elections.

2. The current consultation is in the form of 16 questions. The review is designed to

bring the 2001 Code up to date by taking account of developments in the way in which local authorities work and those which are being promoted by the Government for the future. These questions were reviewed at the SSP meeting on 23 February 2009 and the suggested response to each question is set out in the attached Appendix. The Cabinet, as requested by the Leader of Council, is asked to consider those responses at this meeting so that the deadline for comments can be met.

3. The OSC has authorised the SSP to report direct to this meeting of the Cabinet in accordance with Overview & Scrutiny Rule 12(4)(h).

Resource Implications:

None.

Legal and Governance Implications:

None at this stage.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

Overview and Scrutiny Committee and the Constitution & Member Services Scrutiny Panel.

Background Papers:

None.

Impact Assessments:

None necessary at this stage.