

COUNCIL PUBLICITY – GUIDANCE NOTE

Report of the Chief Solicitor

1. At the last meeting of the Committee it was agreed that it would be helpful if a consolidated guidance note was produced for the benefit of Members and officers.
2. Section 2 of the Local Government Act 1986 prohibits authorities from issuing material that 'in whole or in part, appears to be designed to affect public support for a political party'. The rule applies at all times and not just before an election.
3. Local authorities are required to have regard to the Code of Recommended Practice on Local Authority Publicity. This note is based on the Code.
4. The guidance applies to publicity produced using Council resources, not that produced by political groups or individual Councillors.
5. This note summarises the advice in the Code and also consolidates other references to the Constitution in Appendix A.
6. Under the Code of Conduct a Member:

"Must, when using or authorising the use by others of the resources of the authority;

(i) act in accordance with the authority's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes) and

must have regard to any applicable Local Authority Code on Publicity made under the Local Government Act 1986".

Conclusion

The Committee is requested to:

1. Note and endorse the guidance note or advise on any desired changes.
2. Agree that copies be sent to all Members, Chief Officers and Heads of Service.

