


Individual Mayoral Decision Decision Log No: 121	 TOWER HAMLETS
Report of: Melanie Clay – Corporate Director Law, Probity & Governance and Monitoring Officer	Classification: Unrestricted
Best Value Action Plan for Communications	

Is this a Key Decision?	No
Decision Notice Publication Date:	5 January 2016
General Exception or Urgency Notice published?	Not required
Restrictions:	None

EXECUTIVE SUMMARY

1. This report recommends the Mayor's adoption of a formal recommendation by the Commissioners that the Council takes all necessary measures to ensure full compliance with the Code of Recommended Practice for Local Authorities by 18 May 2016. This means that from that date East End Life may be published no more frequently than quarterly.

2. Failure to adopt the recommendation would constitute failure to comply with the legally binding Directions and the Secretary of State would, in such circumstances, take such further measures as he considers to be appropriate.

DECISION

Recommendations:

The Mayor is recommended :

to adopt the following recommendation of the Commissioners:

that the Council takes all necessary measures to ensure that, by the Annual Council Meeting on 18 May 2016, the use of publicity is fully compliant with the provisions of paragraph 28 of the Code; namely that from that date, any website, newsletters, newssheets or similar communications which seek to emulate commercial newspapers in style or content are published no more frequently than quarterly.

APPROVALS

1. Chief Finance Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

Signed  Date 5/1/16.....

2. Monitoring Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

~~(For Key Decision only — delete as applicable)~~

~~I confirm that this decision:-~~

~~(a) has been published in advance on the Council's Forward Plan OR~~


~~(b) is urgent and subject to the 'General Exception' or 'Special Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.~~

Signed  Date 5/1/16.....

3. Mayor

I agree the decision proposed in paragraph above for the reasons set out in paragraphs 3.3. and 3.4 in the attached report.

Signed  Date 5/1/2016.....

Mayoral Decision 5 January 2016	 TOWER HAMLETS
Report of: Melanie Clay – Corporate Director, Law, Probity & Governance and Monitoring Officer	Classification: Unrestricted
Best Value Action Plan for Communications	

Lead Member	Mayor Biggs
Originating Officer(s)	Melanie Clay
Wards affected	N/A
Key Decision?	No
Community Plan Theme	One Tower Hamlets

Executive Summary

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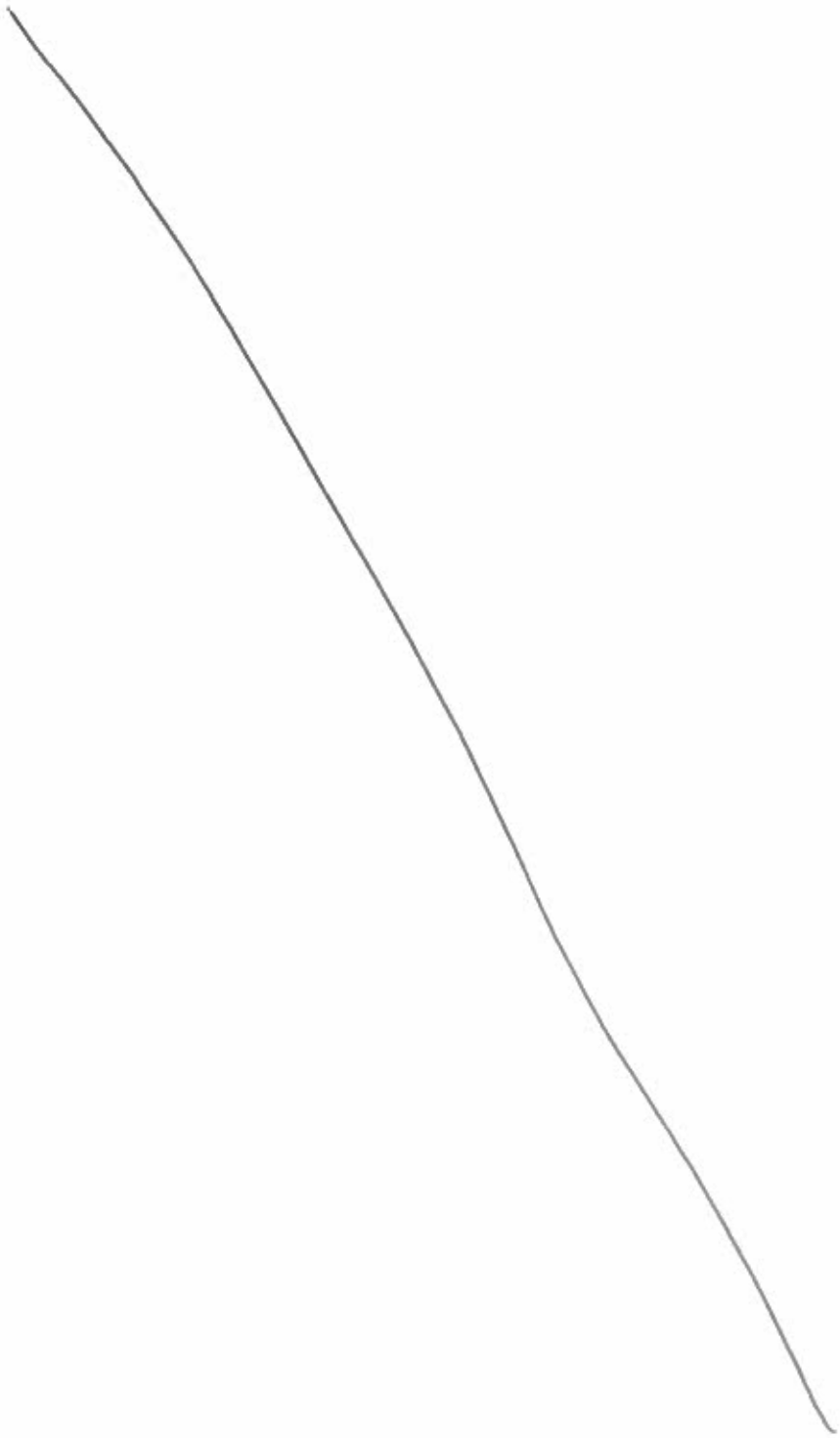
2. Failure to adopt the recommendation would constitute failure to comply with the legally binding Directions and the Secretary of State would, in such circumstances, take such further measures as he considers to be appropriate.

Recommendations:

The Mayor is recommended :

to adopt the following recommendation of the Commissioners:

that the Council takes all necessary measures to ensure that, by the Annual Council Meeting on 18 May 2016, the use of publicity is fully compliant with the provisions of paragraph 28 of the Code; namely that from that date, any website, newsletters, newsheets or similar communications which seek to emulate commercial newspapers in style or content are published no more frequently than quarterly.



1. REASONS FOR THE DECISIONS

- 1.1 In order to comply with the legally binding Directions issued by the Secretary of State.

2. ALTERNATIVE OPTIONS

- 2.1 Any other decision would constitute failure to comply with the Directions. Consequently there are no alternative options.

3. DETAILS OF REPORT

- 3.1 On 17 December 2014 the Secretary of State for Communities and Local Government issued Directions pursuant to his powers under Section 15(5) and (6) of the Local Government Act 1999. The first Direction required the Council within 3 months from the date of the Directions to draw up and agree with the Commissioners a strategy and action plan for securing the Authority's compliance with its best value duty.

- 3.2 On 4 March 2015 a report entitled Best Value Strategy and Action Plan and Publicity Plan was submitted to Cabinet by the then Head of Paid Service. The report presented plans developed to comply with the Direction. The Mayor in Cabinet:

1. Approved the Best Value plans in relation to Property and Communications.
2. Approved the Publicity Plan.
3. Noted the remaining Best Value Plans.

- 3.3 The plans had been seen by the Commissioners prior to their reference to Cabinet and thereafter were agreed by the Commissioners and submitted to the Secretary of State.

- 3.4 A principal element of the Communications Plan was that from 1 April 2016 the Council would comply with the Code of Recommended Practice on Local Authority Publicity issued under Section 4 of the Local Government Act 1986. In particular paragraph 28 of the Code which provides that 'Local Authorities should not publish or incur expenditure in commissioning in hard copy or on any website, newsletters, newsheets or similar communications which seek to emulate commercial newspapers in style or content. Where Local Authorities do commission or publish newsletters, newsheets or similar communications, they should not issue them more frequently than quarterly.

- 3.5 In a letter of 16 September 2015, the Commissioners noted that as an interim

measure East End Life would be published at a fortnightly frequency from the end of 2015 and welcomed the Council's commitment detailed in the Best Value Action Plan for Communications for East End Life to become fully compliant with the Code of Recommended Practice for Local Authority Publicity by March 2016.

- 3.6 On 16 December 2015 the Mayor wrote to the Commissioners to give a progress report upon the Best Value Action Plan for Communications. In a reply of 23 December 2015 the Commissioners were concerned that the date for full compliance may not be met and formally recommended that the Council takes all necessary measure to ensure that by the Annual Council Meeting on 18 May 2016 the use of Publicity is fully compliant with the provisions of paragraph 28 of the Code. In order to satisfy the Commissioners in this regard the Mayor was invited to provide written confirmation of the Council's decision to adopt this recommendation by 5 January 2016. Failure to adopt this recommendation would constitute failure to comply with the legally binding Directions and the Secretary of State would, in such circumstances, take such further measures as he considers to be appropriate.
- 3.7 The recommendation of this report is that the Mayor adopts the recommendation of the Commissioners.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no direct financial implications arising from the recommendations within this report.

5. LEGAL COMMENTS

- 5.1 The legal considerations are addressed in the body of the report. Adoption of the recommendation will render the Council compliant with the legally binding Directions.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 In its consideration of the report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty).

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The proposal in this report accords with the Best Value Action Plan for Communications as amended by the time extension granted by the Commissioners.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 N/A

9. RISK MANAGEMENT IMPLICATIONS

By adopting the recommendation of the Commissioners the Council will avoid failure to comply with the Secretary of State's Directions.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 N/A

11. SAFEGUARDING IMPLICATIONS

11.1 N/A

Linked Reports, Appendices and Background Documents

Linked Report

- List any linked reports [if Exempt, Forward Plan entry MUST warn of that]
- State NONE if none.

Appendices

- List any appendices [if Exempt, Forward Plan entry MUST warn of that]
- State NONE if none.

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- List any background documents not already in the public domain including officer contact information.
- These must be sent to Democratic Services with the report
- State NONE if none.

Officer contact details for documents:

Or state N/A

