

## PURDAH PERIOD AND GUIDANCE IN RESPECT OF 2007 ELECTIONS

**Report By: Head of Legal & Democratic Services**

### Wards Affected

County-wide

### Purpose

1. To inform the Committee of the statutory requirements relating to Council publicity in the period between the notice of election being issued and the date of the election normally referred to as "purdah". To request the Committee to consider and give their views on the proposals within the report.

### Background

2. (1) The following documents are attached:
  - Proposed guidance to be issued on pre-election publicity to members either in the attached form or by way of letter and to members of Corporate Management Board and Heads of Service subject to the agreement of the Chief Executive. In addition, the Please note that the Purdah Period commences on the date of the notice of election, usually 28 days before the date of the election, which is 3rd May 2007;
  - Guide to Becoming a Herefordshire Councillor, which is being issued to potential candidates who may wish to stand for election to Herefordshire Council in May 2007. The Guide has been issued by the Council's Communications Office, and is available on the Internet, and from all Info Shops, Council receptions, libraries and post offices. It has also been sent to all agents for political parties. The Guide aims to give people clear information about becoming a councillor, the processes involved, and some of the likely duties and responsibilities. After the elections, the Council will issue an induction pack to all Herefordshire Councillors.
- (2) Local Authorities have specific legal powers to issue publicity and to fund other organisations to produce publicity. However Section 2 of the Local Government Act 1986 states that "a local authority shall not publish any material which in whole or in part, appears to be designed to affect public support for a political party" and is to be taken into account when deciding this including the timing, content, style and other circumstances of publication and the likely effect on those to whom it is directed.
- (3) In addition the Secretary of State also issued a "Code of Recommended Practice" in 1988 which was amended in 2001. This provides statutory guidance on local authority publicity. The particular significance for this report is paragraph 4.1 which states: "the period between the notice of an election and the election itself should preclude proactive publicity in all its forms of candidates and other politicians involved directly in the elections. Publicity should not deal with controversial issues

or report views, proposals or recommendations in such a way that it identifies them with individual members or groups of members. However, it is acceptable for the authority to respond in appropriate circumstances to events and legitimate service enquiries provided that their answers are factual and not party political. Members holding key political or civic positions should be able to comment in an emergency or where there is a genuine need for a member level response to an important event outside the authority's control. Proactive events arranged in this period should not involve members likely to be standing for election". The attached guidance is prepared to assist both members and officers to remind them of their respective responsibilities during the Purdah Period.

## RECOMMENDATION

- THAT**
- (a) the Committee provides any initial views they may have on the Report with regard to pre-election publicity and guidance for members; and**
  - (b) the attached Guide to Becoming a Herefordshire Councillor be noted.**

## BACKGROUND PAPERS

- None identified.