

DIRECTIONS UNDER SECTION 4A OF THE LOCAL GOVERNMENT ACT 1986 TO THE COUNCIL OF THE LONDON BOROUGH OF HACKNEY 2018

WHEREAS

1. A Code was issued under section 4 of the Local Government Act 1986 ("the 1986 Act") on 31 March 2011 ("the Code"), having been approved by a resolution of each House of Parliament, and provides in relevant part:

"Where local authorities do commission or publish newsletters, newsheets or similar communications, they should not issue them more frequently than quarterly".

2. On 6 November 2017, the Secretary of State issued a written direction to the Authority requiring the Authority to comply with that provision of the Code. The Secretary of State wrote to the Authority on 29 November 2017 agreeing to convert that direction to a written notice of a proposed direction, following the council's request for additional time to make further representations.
3. The Secretary of State has carefully considered the following in respect of the Authority:
 - a. the representations made to him on 15 November 2017 and 8 January 2018 by the Authority on the proposed Directions;
 - b. the representations made to him on 29 April 2014, 9 October 2014, 24 March 2015, 18 May 2016 and 15 December 2016 by the Authority on previous proposed Directions;
 - c. the Authority's response of 25 September 2017 to the Department's letter of 21 September 2017 regarding the advertising that features in '*Hackney Today*', including the income it generates;
 - d. Letters from the Authority of 29 September 2014, 19 March 2015, 20 March 2015 and 15 December 2017, that seek clarification on certain points made by the Department in its letters to the Authority or state the Authority's interpretation of those letters;
 - e. the evidence available to him about the publicity of the Authority, taken from publically available sources such as the website of the Authority and the publication of the Authority, '*Hackney Today*';
 - f. the responses to the 2013 consultation '*Protecting the Independent Press from Unfair Competition*' and the Government response to the same consultation;
 - g. the Equality Statement on 'Enforcing the Code of Recommended Practice on Local Authority Publicity'; and
 - h. the London Assembly report of August 2017, entitled '*The fate of local news – read all about it*'.

NOW THEREFORE

4. In accordance with his powers under section 4A(1), (2) and (3) of the 1986 Act, the Secretary of State directs the Authority as set out below, in order to secure the Authority's compliance with the requirements of the Code, as follows:
- to commission or publish no more than four issues of '*Hackney Today*', or any equivalent newsletter, newsheet or similar communication, in the period of one year commencing 3 September 2018, and in subsequent years ("the first requirement"); and
 - to ensure that the executive of the Authority within 21 days of the Authority's first post-election annual meeting (local government elections 3 May 2018) will take the necessary decisions in order that the Authority will be in a position to comply with the first requirement from 3 September 2018 onwards ("the second requirement").

Signed by authority of the Secretary of State

A POWELL

A senior civil servant in the Department for Housing,
Communities and Local Government

11 April 2018