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13<sup>th</sup> February 2023

TO: ALL MEMBERS OF FAVERSHAM TOWN COUNCIL'S  
POLICY & RESOURCES COMMITTEE

Cllr Barker  
Cllr Rowlands

Cllr Saunders  
Cllr T Martin

Cllr Hook  
Cllr Henderson

Dear Committee Member

**YOU ARE HEREBY SUMMONED TO ATTEND** a meeting of Faversham Town Council's Policy and Resources Committee to take place at The Guildhall on Monday 20<sup>th</sup> February 2023 at 7.30pm when the following business will be transacted.

Yours sincerely

*Louise Bareham*

Louise Bareham FSLCC  
Town Clerk

A maximum of 15 minutes to be allowed to receive public questions and comments on items on the Agenda.

#### AGENDA

1. **Apologies for Absence**  
To receive apologies for absence
2. **Declarations of Interest**  
To receive any declarations of interest for items listed on the Agenda
3. **Minutes of the Previous Meeting and Matters Arising**  
To receive the Minutes of the Policy and Resources Committee dated 21<sup>st</sup> November 2022 and consider any matters arising

#### 4. **Financial Reports**

To approve the Financial Reports

#### 5. **Pre-Election Period**

To note the pre-election period (previously known as purdah) commencing no later than 27<sup>th</sup> March (tba) and agree for the Local Government Association's template letter (Appendix A) to be sent to all councillors.

Local government sometimes views this period as a time when communications has to shut down completely. This is not the case, and the ordinary functions of councils can continue, but some restrictions may be imposed by law.

The pre-election restrictions are governed by Section 2 of the Local Government Act 19862, as amended in 1988.3 Essentially councils should '**not publish any material which, in whole or in part, appears to be designed to affect public support for a political party**'.

Section 44 of the Act makes clear that councils need to have regard to the code of recommended practice. The essential points from the code are:

- In general you should not issue any publicity which seeks to influence voters (an exception being situations covered by legislation or regulations directing publication of information for explanatory purposes).
- Particular care should be taken between the time of publication of a notice of an election and polling day.
- Consider suspending the hosting of third party material or closing public forums if these are likely to breach the code of practice.
- Do not publish any publicity on controversial issues or report views on proposals in a way which identifies them with candidates or parties.
- Publicity relating to individuals involved directly in the election should not be published unless expressly authorised by statute.
- You are allowed to publish factual information which identifies the names, constituencies and parties of candidates at elections.

#### 5. **Items for Report**

Information or items for the next agenda

Join Zoom Meeting

<https://us02web.zoom.us/j/87860063332?pwd=Z1ZJUEZzM1NDQ0tIQ3RVcVIJSIUydz09>

Meeting ID: 878 6006 3332

Passcode: 048426

## Annex A: Template letter for sending to councillors ahead of local elections

Dear Councillor,

### Guidelines and restrictions on decision making and publicity during the pre-election period

As you will be aware, the local elections are due to take place on 4 May 2023 so I thought it would be useful to remind you about the guidelines and restrictions on publicity during the pre-election period that starts on 27 March 2023. These restrictions apply to all elections happening during this period.

From the start of the pre-election period, the council must comply with restrictions outlined in Section 2 of the Local Government Act 1986. In addition a Code of Recommended Practice on Local Authority Publicity published in 2011 makes clear that particular care should be taken in periods of heightened sensitivity, such as in the run up to an election. The Act defines publicity as **“any communication, in whatever form, addressed to the public at large or to a section of the public.”**

Generally, the Act says that we should **“not publish any material which, in whole, or in part, appears to be designed to affect public support for a political party.”** The Code of Practice recommends that authorities should generally not issue any publicity which seeks to influence voters and that publicity relating to individuals involved directly in the election should not be published unless expressly authorised by statute.

### Decision making

In relation to decision making within the council, the position remains that it is ‘business as usual’ unless there are very good reasons why this should not be the case. In the vast majority of cases, the pre-election period will have no impact on normal council business, including the approval of planning decisions.

### What this means

- The primary restriction is on proactive publicity by the council which particularly relates to candidates and other politicians involved directly in the election.
- The council can still issue media releases on factual matters provided that these do not identify individual councillors or groups of councillors.
- Councillors are still free to respond to enquiries received from the media in a personal capacity.

- Individual councillors can issue their own statements, write letters to the local newspaper(s) for publication, contact the media directly or say what they like in a personal capacity, but must not use council resources to do so.

It is still possible for the council to issue statements on behalf of a councillor holding a key political or civic position provided it relates to important events which are outside the council's control and can be shown to justify a member response. These occasions are likely to be rare and to be the exception, rather than the rule.

I hope this letter provides you with the general information you need for the pre-election period, but if you have specific concerns or queries, please feel free to me.

Yours sincerely