

Advertising in Parish Papers

In the latest edition (Edition 14) of Arnold Baker on Local Council Administration it says "Commercial advertising in local council publications is not permitted" (21.25 on page 203). This is something I have not come across before

As you know parish and town councils are statutory bodies with only the powers given to them by legislation. If there is no power to do something, the council cannot do it (the usual *ultra vires* principle).

There isn't any clear statutory power that allows a parish council to sell commercial advertising space. Section 142 of the Local Government Act 1972 allows councils to publish information about their own services and those of other public/voluntary bodies, but that's quite different from running advertising for commercial businesses. (This is also reflected in NALC's long-standing view that councils don't have a power to carry commercial advertising.)

Advice notes on parish newsletters commonly conclude that councils can include:

- information about their own services
- material from other public bodies, charities or community groups but not commercial adverts, because there's no clear enabling power.

The Publicity Code (2011) then reinforces that position by requiring publicity to be:

- focused on council functions
- appropriate and objective
- and not in competition with commercial media

However, the General Power of Competence (which Holbrook Parish Council holds) muddies the waters slightly, because it allows eligible councils to do things an individual can do, including some commercial activity. One could argue that the act of including local advertisers in our magazine, apart from making publication viable, is helpful to residents as a point of reference for local services they may wish to use.

I believe, however, that we should consider putting a disclaimer in the magazine – something on the lines of

"The Parish Council welcomes local advertisers who provide services to the community. Inclusion of an advertisement does not imply endorsement, and the Parish Council accepts no responsibility for the quality of goods or services advertised.", or

"Local businesses are invited to advertise to support the Parish Paper. The Parish Council does not verify or recommend any advertiser, and readers should make their own enquiries before engaging any service."

Jo Hazlewood – Clerk
June 2026