

The Localism Bill

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The Localism Bill

- The Bill is still before Parliament
- There have been three readings within the House of Commons and
- Report stage in the House of Lords
- Amendments proposed by the “Lords” to be considered by the “Commons”
- Once agreed, the Bill will be passed for Royal Assent

The Localism Bill

- When will it become law?
- Could happen quickly.....or otherwise!
- Bill littered with the phrase: “The Secretary of State may prepare such Regulations as are necessary”
- The roll-out of the Bill may therefore take some time

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The Bill is part of the De-centralisation Agenda for which the Government has “six essential actions”

- Lift the burden of bureaucracy
- Empower communities to do things their way
- Increase local control of public finances
- Diversify the supply of public services
- Open up Government to public scrutiny
- Strengthen accountability to local papers

Source: Department of Communities and Local Government

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How does the Bill affect local councils?

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Section 8 introduces the *General Power of Competence*

- New concept
- Eligibility criteria to be defined
- Will it be similar of the Power of Well-Being?
- What will happen to Quality Status?
- We don't know!

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Section 14 addresses the problems associated with *Predetermination*

- Local councils to be included
- Present guidance will continue

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Sections 15 to 17 deal with the *Power to Promote High Standards of Conduct*

- Register of Interests will remain
- Government proposed a Voluntary Code System
- Fines of >£5000 and disbarment for >5 years if proper interests not declared
- Criminal offences!

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Section 18 deals with the office of *Monitoring Officer*

- Monitoring Officers will continue in office
- Remit limited to principal authorities, police authorities etc
- Current guidance from NALC is that the Government's proposals make it impossible for a local council to adopt a Code as such councils are not included in the monitoring regime
- YLCA and ERNLLCA have grave concerns about this!

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Section 18 deals with the office of *Monitoring Officer*

- Whole issue of a Code of Conduct for local councillors still under debate
- National groundswell of opinion that the Code of Conduct should apply to local councillors
- We await developments

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Section 57 addresses the issue of a *referendum*

- The Bill mainly concerns itself with principal authorities
- The Secretary of State “may by regulations make provision about the holding of polls or referendums by parish councils”
- “The Secretary of State may make or arrange for the making of payments to parish councils to enable them to meet the additional expenditure they incur as a result of regulations”

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Section 69 addresses *Community Right to Challenge*

- “Relevant authorities” (i.e. principal authorities) will have to consider expressions of interests from “relevant bodies” to provide take on services
- A local council is a “relevant body”
- Also included are voluntary groups, charities, a group of employees....and anyone else specified by the Secretary of State

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Section 69 addresses *Community Right to Challenge*

- The “Relevant Authority” cannot ignore an expression of interest
- The Bill advises the “Relevant Authorities” create a timetable for the consideration of expressions of interest
- Any change must be for the social, economic or environmental well-being of the community
- Local councils are not “Relevant Authorities”

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Section 76 explains *Assets of Community Value* which can be taken over

- Technical element dealing with transfer of assets with nominal values

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Additional information connected to the Bill

- Changes to the Audit Regime
- Open Public Services White Paper – creation of local councils to assist the Government agenda

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Summary:

- Concerns about the roll-out of the Bill
- Much in the way of Regulations required
- Let's look at how all of this will affect our model local council!

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