

Queen's Speech 2017/19

Purpose of the Report

For direction.

Summary

The paper sets out the key legislation affecting local government in the 2017 Queen's Speech and provides recommendations for prioritising LGA activity. The Board's approval is sought on the Bills the LGA should prioritise for the purpose of its lobbying. This will identify where our resources should be focused to ensure we deliver the best possible outcomes for local government.

Recommendation

That the LGA Leadership Board approve the suggested priority Bills for the LGA in the 2017/19 parliamentary session.

Action

As directed by members.

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Prioritisation of Bills

1. Each year following the Queen's Speech the LGA prioritises the key legislation that the organisation will seek to influence. This prioritisation ensures that, by focusing our lobbying, the best results are achieved for local government. Based on feedback from our Boards, and following an assessment of the implications of the Government's legislative agenda, we are using the following system of prioritisation:
 - 1.1. **High profile engagement:** For a Bill identified as high profile, the LGA lobbies at each stage of the Bill's passage through Parliament, works with our network of MPs and Peers to table amendments, uses media and stakeholder engagement to keep our priorities on the national agenda, and engages with the government department leading the legislation.
 - 1.2. **Medium profile engagement:** For legislation that is important, but does not require as much active lobbying, we will ensure – through constructive engagement with Ministers and officials – that the Bill does not negatively impact on local government. These Bills will be managed under the medium profile category as our engagement is usually limited to advising on the detail of the Bill. However, if the Bill is amended to have a more significant impact on local government, it can be reclassified into the 'high' category.
 - 1.3. **Monitoring:** For legislation that has limited impact on local government, or is not captured by our corporate priorities, the LGA will seek to monitor its progress. The status of Bills categorised under 'monitoring' will be reviewed to ensure that any changes do not require more active participation and lobbying by the LGA.
2. This year the Queen's Speech also made a series of non-legislative announcements on countering extremism, the Grenfell Tower Inquiry, adult social care, a Green Paper on Children and Young People's Mental Health, housing, the Industrial Strategy and education. As these are non-legislative measures they are not prioritised in this paper, however, we will be working to influence them through our engagement programme with Government and Parliament.
3. At the time of writing it is also unclear as to which Private Members Bills (PMBs) will be of interest to us and likely to carry enough support in Parliament to be passed, although we are anticipating working on PMBs on taxi licensing and home education. We will monitor these Bill and make decisions on whether to engage with them on a case by case basis, taking guidance from Leadership Boards and our policy boards as required.
4. Set out below is the proposed prioritisation of legislation in the Queen's Speech that has been identified as being of interest to local government.

Priority		
High profile engagement	Medium profile engagement	Monitoring
Repeal Bill	Customs Bill	Data Protection Bill
	Trade Bill	Courts Bill
	Immigration Bill	Automated and Electric Vehicles Bill
	Draft Domestic Violence and Abuse Bill	Draft Patient Safety Bill
	Draft Tenants' Fees Bill	Armed Forces (Flexible Working) Bill
		Agriculture Bill
		National Insurance Contributions Bill
		Fisheries Bill
		Finance Guidance and Claims Bill
		Smart Meter Bill
		Telecommunications Infrastructure (Relief from Non-Domestic Rates) Bill

High Profile engagement

Repeal Bill

5. The Bill will repeal the European Communities Act and end the authority of European Union law in the UK. It will also allow changes to be made to domestic law to reflect the content of any withdrawal agreement under Article 50, replicate the common UK frameworks created by EU law in UK law, and maintain the scope of devolved decision-making powers immediately after exit. This will be a transitional arrangement to provide certainty after exit and allow intensive discussion and consultation with the devolved administrations on where lasting common frameworks are needed.
6. Following previous guidance from Leadership Board and the Brexit Task and Finish Group, it is recommended we work on this as a high profile Bill. It is an opportunity to make the case for Government adopting the principle of 'double devolution' to ensure that powers repatriated from the EU do not stop at Westminster, Stormont, Cardiff Bay and Holyrood. We will also make the case that a future settlement needs to recognise local government's autonomy and this should be underpinned by statute.

7. The legislation will also provide an opportunity for us to re-state our position on EU funding. We will make the case that clear guarantees are needed to protect the total of £8.4 billion from the EU Structural and Investment Funds. This will help to protect local regeneration plans, flagship infrastructure projects, employment and skills schemes and local growth.

Medium profile engagement

Customs Bill

8. The Customs Bill will ensure that the UK has a standalone UK customs regime on exit; flexibility to accommodate future trade agreements with the EU and others; that changes can be made to the UK's VAT and excise regimes to ensure that the UK has standalone regimes on EU-exit.
9. It will be important to ensure that the legislation reflects the critical role of local authority regulatory services such as local and national trading standards, environmental health and port health authorities in relation to the both the import and export of goods.
10. The Bill is an opportunity to make the point that changes as a result of leaving the EU, checks to imported goods by councils will need to be fully funded. The Bill also creates the opportunity for us to consider how to streamline the process of facilitating exports.

Trade Bill

11. The Trade Bill will put in place the essential and necessary legislative framework to allow the UK to operate its own independent trade policy upon exit from the EU.
12. Securing international trade and investment is a vital part of a strong, prosperous and inclusive UK economy. We propose using this Bill to make the case that in order to deliver the best trading outcome for Britain we need a trade policy that draws on the strengths and expertise of our cities, counties and towns to ensure British businesses can continue to succeed.

Immigration Bill

13. The Immigration Bill will allow for the repeal of EU law on immigration, primarily free movement that will otherwise be saved and converted into UK law by the Repeal Bill. It will make the migration of EU nationals and their family members subject to relevant UK law once the UK has left the EU.
14. We will use this Bill to continue to highlight how our private and public sectors in England and Wales rely heavily on EU nationals to provide vital services. We can also brief that as there is a major skills shortage, so there needs to be a long term reforms and devolving powers over skills and employment.

Draft Domestic Violence and Abuse Bill

15. The draft Domestic Violence and Abuse Bill will bring forward proposals to establish a Domestic Violence and Abuse Commissioner. It will define domestic abuse and create a consolidated new domestic abuse civil prevention and protection order. To ensure that if abusive behaviour involves a child, then the court can hand down a sentence that reflects the devastating life-long impact that abuse has on the child.
16. Addressing all forms of domestic violence and abuse is a high priority for councils which is why we support the Bill's objectives. In our view the creation of a Domestic Violence and Abuse Commissioner will help to raise the profile of domestic violence abuse and ensure momentum in strengthening organisations' approach to it, as has been seen with the appointment of a Modern Slavery Commissioner.

Draft Tenants' Fees Bill

17. The draft Tenants Fees Bill will bring forward proposals to ban landlords and agents from requiring tenants to make any payments as a condition of their tenancy with the exception of the rent, a capped refundable security deposit, a capped refundable holding deposit and tenant default fees. It will cap holding deposits at no more than one week's rent and security deposits at no more than one month's rent.
18. The legislation is an opportunity to make the point that excessive letting agent fees are a concern for many tenants and councils, hampering access to the market. This in turn places pressure on housing of other tenures including social housing. The proposed ban on letting agent fees for tenants will bring welcome clarity and direction to a sector that has a powerful influence on the cost of renting. The enforcement of the ban on fees for tenants will need to be properly resourced and we will recommend this to the Government.
19. We also share the Government's concern about the lack of clarity for private tenants. The current legal and regulatory system is out of date and requires reform to match the pace of the reality of the current private rented housing market. The sheer volume and complexity of regulations governing the sector can be confusing for landlords, tenants and councils. The Government should review and modernise the framework to support councils' ability to meet the expectations of their residents.

Monitoring

Data Protection Bill

20. The Data Protection Bill will ensure that our data protection framework is suitable for our new digital age, and cement the UK's position at the forefront of technological innovation, international data sharing and protection of personal data. It will strengthen rights and empower individuals to have more control over their personal data including a right to be forgotten when individuals no longer want their data to be processed, provided that there are no legitimate grounds for retaining it. The Bill will establish a new data protection regime for non-law enforcement data processing, replacing the

Data Protection Act 1998 and modernising and updating the regime for data processing by law enforcement agencies.

21. We will monitor the Bill as it is passed by Parliament as it is vital that legislation on data protection keeps pace with technology and international standards. We will work with Government to ensure individual rights and personal information are protected and support the ever-more important need to share data effectively across local government services.

Courts Bill

22. The Courts Bill will end direct cross examination of domestic violence victims by their alleged perpetrators in the family courts and allow more victims to participate in trials without having to meet their alleged assailant face-to-face. It will introduce digital services which will allow businesses to pursue their cases quickly, enabling them to recover debts more easily and provide a better working environment for judges, allowing more leadership positions in the judiciary to be offered on a fixed term basis, and enabling judges to be deployed more flexibly.
23. We will monitor this legislation as local government will welcome measures that make the running of courts and tribunals more efficient. We will also seek clarity on how the provisions will apply to a range of offences local authorities are responsible for prosecuting.

Automated and Electric Vehicles Bill

24. The Automated and Electric Vehicles Bill will allow the regulatory framework to keep pace with the fast evolving technology for electric cars, helping improve air quality. It will provide for the installation of charging points for electric and hydrogen vehicles and extend compulsory motor vehicle insurance to cover the use of automated vehicles, to ensure that compensation claims continue to be paid quickly, fairly, and easily, in line with longstanding insurance practice.
25. We will monitor developments with this Bill as it is vital that the Government engages with local authorities on how we can best to accommodate the transition to autonomous vehicles.

Draft Patient Safety Bill

26. The Draft Patient Safety Bill will bring forward proposals to establish the Health Service Safety Investigation Body in statute, providing it with clear powers to conduct independent and impartial investigations into patient safety risks in the NHS in England.
27. We will monitor this Bill to assess its impacts on local government. We will make the point that there needs to be clarity on the role of the Health Service Safety Investigation Body in the exercising of its power to conduct investigations into patient

safety risks in the NHS. This includes in areas where local authority statutory functions for adult social care and public health are being delivered by NHS bodies.

Further Bills in the Queen's Speech: Armed Forces (Flexible Working) Bill, Agriculture Bill, Finance Guidance and Claims Bill, National Insurance Contributions Bill, Smart Meter Bill, Fisheries Bill, Telecommunications Infrastructure (Relief from Non-Domestic Rates) Bill

28. The Queen Speech also introduced a range of legislation including Bills on the armed forces, agriculture, financial guidance, national insurance, smart metering and business rates relief from telecommunications infrastructure. Whilst these Bills do not have a direct impact on our corporate priorities and the work of local government, we will monitor them as they are published. Should there be a need to engage with these Bills on behalf of local government, we will work with the relevant policy board(s) and Group Offices to agree our corporate positions.