

December 2019 Queen's Speech

Purpose of report

For decision.

Summary

This report updates the Executive on the 2019 Queen's Speech, summarising the key announcements. It asks the Executive to endorse the proposed Bills the LGA should prioritise for the purpose of its lobbying, based on the LGA's 2019-2022 business plan.

Recommendations

That the LGA Executive:

1. Notes the key legislation affecting local government in the 2019 Queen's Speech; and
2. Endorses the prioritisation summarised in the table at paragraph 3 of the report.

Action

As directed by the LGA Executive.

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December 2019 Queen's Speech

Prioritisation of Bills

1. Following a Queen's Speech, the LGA uses our business plan to prioritise the legislation and key policy announcements that the organisation will seek to influence. This prioritisation based on cross-party political direction ensures that, by focusing our lobbying, the best results are achieved for local government. This also provides councils with an early view of Bills they may wish to work with the LGA on to influence. Based on initial feedback from members, and following an assessment of the implications of the Government's 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 any relevant amendments, uses media and stakeholder engagement to keep our priorities on the national agenda, and engages with the government department leading the legislation. For a policy announcement that is identified as being high profile for us, we will engage with the Government department, brief parliamentarians and use our media and stakeholder engagement to shape national Government's thinking and proposals.
 - 1.2. **Medium profile engagement:** For legislation and policy announcements which are important, but do not require as much active lobbying, we will seek to ensure – through constructive engagement with Ministers and officials – that the proposals do not negatively impact on local government. For the Bills managed under the medium profile category, our engagement is usually limited to advising on the detail of the proposals and a general briefing on key issues to Parliament, if it is required. Should the Bill be amended to have a more significant impact on local government, it can be reclassified into the 'high' category.
 - 1.3. **Monitoring:** For legislation and policy announcements that have limited impact on local government, or are not captured by our corporate priorities as set out in the LGA business plan, we will seek to monitor progress. The status of Bills and policy categorised under 'monitoring' will be reviewed to ensure that any changes do not require more active participation and lobbying by the LGA.
2. At the time of writing we are also exploring which Private Members Bills (PMBs) will be of interest to us and likely to carry enough support in Parliament to be passed. We will monitor these Bills and make decisions on whether to engage with them on a case by case basis, taking guidance from our policy boards as required.
3. Set out below is the proposed prioritisation of legislation and policy announcements in the Queen's Speech which have been identified as being of interest to councils.

Priority		
High profile engagement	Medium profile engagement	Monitoring
English devolution	NHS Funding and NHS Long Term Plan	Health Service Safety Investigations Bill
Constitution and democracy	Trade Bill	Employment Bill
Infrastructure	The Agriculture Bill	Victims' law reform
Broadband	National Skills Fund and the Immigration and Social Security Co-ordination (EU Withdrawal) Bill	Rail Reform
Social care reform	Mental Health reform	Boycotts by public institutions
Education	National disability strategy	Birmingham Commonwealth Games Bill
Cost of living, childcare and the National Living Wage	The Armed Forces	
Business rates	Animal welfare	
Environment Bill	Serious Violence Bill	
Climate change and achieving net zero emission by 2050	The Police Powers and Protections Bill	
Housing supply	Online Harms	
Renters' Reform Bill		
Building Safety		
Fire Safety Bill		
Domestic Abuse Bill		

High Profile engagement

- English Devolution:** The Government has announced that it is committed to levelling up powers and investment in the regions across England and allowing each part of the country to decide its own destiny. In the Queen's Speech the Government committed to publishing a White Paper setting out their strategy for unleashing the power of regions and this will include plans for spending and local growth funding. Based on previous

guidance from members, influencing the Government's devolution agenda will continue to be a high priority for the LGA. We will continue to argue that the UK's departure from the EU gives central and local government an opportunity to rethink the way decisions are made in the UK. It is essential that a bold English devolution settlement is delivered in this Parliament and, as an organisation, we will be bringing forward our own proposals in regard to English devolution and working with Ministers, officials and parliamentarians to shape the agenda.

5. **Constitution and democracy:** As well as announcing a programme of work on devolution, the Government has also announced that it will establish a Constitution, Democracy and Rights Commission to develop proposals to restore trust in how our democracy operates that the Government says will examine the broader aspects of the constitution in depth and develop proposals to restore trust in our institutions and in how our democracy operates. The Government also announced that it will implement measures in regard to photographic ID, make changes to postal voting and require returning officers to provide equipment to support voters with sight loss and other disabilities who find it difficult to vote. We will be recommending that the Charter of Local Self Governance, an international treaty of the Council of Europe adopted in June 1985 and ratified by the UK, be recognised in our own domestic legislation. This would provide a new legal basis for local government built from the ground up, as part of a fundamental principle that local self-government shall be recognised in domestic legislation, and where practicable in the constitution. We will also continue to call for the public intimidation of political candidates and those in public office, such as local councillors, to be made a specific offence.
6. **Infrastructure:** The Government has announced that the National Infrastructure Strategy will be published alongside the first Budget. It will set out further details of the Government's plan to invest £100 billion to transform the UK's infrastructure. As per members previous guidance, engaging with this strategy will be a key priority for the LGA as the new strategy is an opportunity to ensure councils have stable, devolved infrastructure budgets, analogous to Highways England and Network Rail. To do this we will be calling for councils to be given a funding allocation for five years to enable long term planning.
7. **Broadband:** The Queen's Speech announced that the Government will bring forward new laws to accelerate the delivery of gigabit capable broadband. Influencing this will be a key piece of work for us because access to fast and reliable digital connectivity is a necessity for all communities, something they have rightfully come to expect and essential to keeping pace with developments across the globe. Moreover, the Government's commitment to amend legislation so that all new build homes are required to have the infrastructure to support gigabit-capable connections is positive and recognises our call to place a statutory requirement on developers to ensure no home goes unconnected. We are pleased the Government has listened to councils and will engage with the proposals as further details are announced.
8. **Social care reform:** The Queen's Speech announced the Government's intention to seek cross-party consensus on proposals for long term reform of social care. Their aim is to ensure that the social care system provides everyone with the dignity and security they deserve and that no one who needs care has to sell their home to pay for it. Social care reform will continue to be a high priority for the LGA as securing the sustainable,

long-term future of this service is one of the major issues facing society. As an association, we have kept the debate in the public and political spotlight and we are committed to working with the Government and parliamentarians to bring about meaningful change. We will argue that proposals will need to be practical and workable so that adults of all ages are supported to live the lives they want to lead. This means ensuring that the current system is adequately funded, as well as introducing reforms which improve access to care and pool the financial risk so individuals do not face catastrophic costs. We will also propose that social care funding should be increased and the commitment to do this enshrined in law, so that social care benefits from the same approach taken to new investment in the NHS.

9. **Education:** The Government committed to increasing the levels of funding per pupil in every school. To do this, the Government announced that it will invest a total of £14 billion more over three years, on top of £4.5 billion for teacher's pensions. The LGA has welcomed the Government's decision to increase schools budgets by £7.1 billion by 2022/23 and increase councils high needs budgets by an additional £780 million for 2021 in order to support children with Special Educational Needs and Disabilities (SEND). We will be working with Government and Parliament to make the case that the local flexibility allowed under the existing 'soft' National Funding Formula plays an essential role in allowing councils to work with schools locally make sure that available funding addresses local needs and priorities. Councils also have a strong track record in school improvement, with 89 per cent of council maintained schools now good or outstanding. We will continue to make the point that to ensure councils expertise in school improvement can continue, maintained schools should be able to sponsor failing academies without having to become academies themselves and high-performing councils should be allowed to create MATs to support failing schools.
10. **Cost of living, childcare, and the National Living Wage:** The Government has announced that it will bring forward measures to support working families, including establishing a new £1 billion fund to help create more high quality, affordable childcare; and increasing the National Living Wage. We have welcomed the Government's announcement of an extra £1 billion funding to develop more high quality, affordable childcare options, which will provide valuable support to working families. We will continue to work with Government to address challenges in childcare, such as the ability to recruit and retain childcare practitioners. Meanwhile the increase in the National Living Wage is welcome but will have significant implications for the cost of local public services and we will work to make sure these are fully funded by the Government.
11. **Business rates:** The Queen's Speech made a series of announcements on business rates. This included commitments to review business rates, additional business rates reliefs, and confirming that the next business rates revaluation will be in 2021 and every three years thereafter. Influencing the business rates review will be a high priority for the LGA as business rates are an important part of council funding, contributing around a quarter of local authority core spending power, with their importance increasing as part of the move to further business rates retention. The LGA has recently published work on the practicalities of introducing an e-commerce levy as well as research on business rates avoidance. In line with the recommendation from October Executive, the Resources Board is reviewing LGA policy on business rates and other sources of finance. The LGA will continue to call for all mandatory reliefs to be funded by central

government, in line with previous government practice, and will call for additional resources for the VOA to ensure a smooth transition to more frequent revaluations that minimise spurious appeals.

12. **Environment Bill:** The Government will bring forward an Environment Bill that will establish a new Office for Environmental Protection, increase local powers to tackle air pollution, introduce charges for specified single use plastic items, and ban exports of polluting plastic waste to non- Organisation for Economic Co-operation and Development (OECD) countries. Councillors are at the forefront of leading the response to the environmental concerns of residents and businesses for a long time. We have therefore welcomed the reintroduction of the Environment Bill and will be working with DEFRA and parliamentarians on the environment principles set out in the Bill and the establishment of the Office of Environmental Protection. This legislation is also an opportunity to influence the future of waste management, and in particular how as a country the UK improves its recycling.
13. **Climate change and achieving net zero emissions by 2050:** The Queen's Speech announced the Government's intention to continue to take steps to meet the world-leading target of net zero greenhouse gas emissions by 2050 and to lead the way in tackling global climate change. The Government's ambitions will need strong local leadership and partnerships and this is where councils can play a vital leading role as agents of change. The LGA has declared a climate emergency and we believe that new funding streams for green infrastructure, energy efficiency, low carbon technologies and flood defences will need joining up at the local level and we will seek to influence the proposals to ensure councils can maximise any new funding streams as the effective delivery of policy will need local flexibility and a single place based funding pot.
14. **Housing supply:** The Government has committed to take forward steps to support home ownership; bring forward Planning and Social Housing White Papers; and end rough sleeping by the end of the Parliament. Influencing the housing agenda continues to be a high priority for the LGA and we will make the case that councils should be able to determine the right mix of housing tenures in their areas. We will also be working with the Government to ensure that proposed changes to the housing delivery test do not undermine Local Plans and confidence in the planning system.
15. **Renters' Reform Bill:** The Queen's Speech committed the Government to bringing forward new measures to protect tenants, which will include measures to abolishing the use of 'no fault' evictions by removing section 21 of the Housing Act 1988 and reforming the grounds for possession. This legislation will be a high priority as councils are determined to tackle the homelessness crisis and no fault evictions have been the major cause of homelessness. Abolishing their use will be an important step. Additionally, we will also call for councils to be given greater flexibility to implement landlord licensing schemes as this will help to improve standards.
16. **Building Safety Bill:** The Government will bring forward a Building Safety Bill which will create an enhanced safety framework for high-rise residential buildings, taking forward the recommendations from Dame Judith Hackitt's independent review of building safety. This legislation is something we have called for and is an opportunity to ensure councils and the fire service have tougher enforcement powers.

17. **Fire Safety Bill:** The Queen's Speech announced a Fire Safety Bill that will clarify that the scope of the Fire Safety Order includes the external walls of the building, including cladding, and fire doors for domestic premises of multiple occupancy. It will also strengthen the relevant enforcement powers to hold building owners and managers to account. We welcome the fact that this legislation will confirm the extent of the Fire Safety Order and we will work on this Bill as a high priority as it is an opportunity to place a clear duty on building owners and managers to tell councils and fire and rescue services what materials have been used in these systems. We will also make the point that the Government should also assess the case for introducing sprinklers at a lower height threshold in newly built premises and in premises where vulnerable people sleep.
18. **Domestic Abuse Bill:** The Government will introduce a Domestic Abuse Bill to ensure that the courts work better for the victims of domestic abuse. The Bill will, amongst other measures, create a statutory definition of domestic abuse, emphasising that domestic abuse is not just physical or sexual violence, but can also involve emotional, coercive or controlling, and economic abuse. It will establish the Domestic Abuse Commissioner in law. Addressing all forms of domestic abuse is a high priority for councils and we support the Bill's objectives of ensuring that people feel able to report abuse and are confident that organisations will do everything possible to support them and their families and pursue their abusers.

Medium profile engagement

19. **NHS Funding Bill and NHS Long Term Plan:** The Government will bring forward new legislation on NHS Funding and the NHS Long Term Plan. The NHS's multi-year funding settlement will be enshrined in law and the Government will take steps to grow and support the NHS workforce. Hospitals and community health services work hand in hand with adult social care, public health and other key services such as housing and the voluntary and community sector to provide care and support for people in their homes and neighbourhoods, reducing pressure on health services. This is prioritised as a medium priority as we are unlikely to propose amendments to the Bills and will instead use this legislation as another opportunity, alongside our work on social care reform, to make the case that increased funding for the NHS will only be maximised if there is an equivalent investment in social care, public health and prevention services that improve people's health, wellbeing and independence.
20. **Trade Bill:** The LGA will work with Ministers, officials and parliamentarians to highlight councils' unique position in supporting successful trade deals. Local government has a detailed knowledge of local economies, powers over local infrastructure planning and a strong track record of building connections with communities across the globe. In the last Parliament we worked with the International Trade Select Committee who recommended that local government should have a voice in all aspects of the trade policy process. We support and look forward to working with the new Government and Parliament to ensure that the expertise and strong international links of local government can best be harnessed as the UK enters into any future trade negotiations. We will also work with the Government to help ensure the UK Shared Prosperity Fund works for all areas.
21. **The Agriculture Bill:** The Queen's Speech announced that an Agriculture Bill will be brought forward to reform UK agriculture, post EU Exit, by improving environmental protections and strengthening transparency and fairness in the supply chain. This

legislation is an opportunity for us to make the case that there is now a significant opportunity post Common Agricultural Policy, to develop a new policy framework which will provide a place-based approach to land-use planning that better aligns with local priorities, ensures greater local accountability and protects the environment. Moreover, councils are a key stakeholder in the management of rural land, working closely with farming communities and undertaking approximately 170 related statutory duties. It has been categorised as a medium priority as councils are going to be important to helping deliver new land management policies and need to be consulted on its development as new proposals are discussed and agreed.

- 22. National Skills Fund and Immigration and Social Security Co-ordination (EU Withdrawal) Bill:** The Government has announced that it will invest an additional £3 billion over the course of this Parliament to support the creation of a 'National Skills Fund'. In the next parliamentary session, the Government will also introduce an Immigration and Social Security Co-ordination (EU Withdrawal) Bill. This will be an opportunity for us to make the case for a reformed and devolved skills and employment system to better match skills supply with employer demand. We will continue to put forward our Work Local approach as the ready-made solution to deliver this in a way that would be nationally and locally accountable. New legislation in this area will be important as public services need stability at this time and councils can help to assess demand for skills locally to ensure any new immigration system takes account of the varied needs of employers in different parts of the country. We will be seeking greater clarity from central government for both councils' roles in supporting vulnerable adults and those that may lose access to benefits, but will still be entitled to council support in any future social security scheme.
- 23. Mental Health reform:** The Government has committed to continuing to work to reform the Mental Health Act. Their aim is to reform the Mental Health Act to ensure people get the support they need, with a much greater say in their care. To do this, the Government will produce a White Paper early next year. The LGA will continue to support plans to reform the Mental Health Act and give people a stronger say in their treatment. Local government plays a key role supporting people detained under the Mental Health Act. Clear links should be made with the related Mental Capacity (Amendment) Act so that people can access the support and independent advocacy they need. We will seek to influence the White Paper and make the case that legislative reform should be accompanied by improved community mental health provision and a shift in focus to prevention and early intervention for adults, young people and children, in order to reduce the need for more intensive or acute mental health services.
- 24. National disability strategy:** The Government has committed to transform the lives of disabled people, ensuring they have access to opportunities and are able to achieve their potential. Government will publish a National Strategy for Disabled People in 2020 to ensure disabled people can lead a life of opportunity and fulfilment. The strategy, will be developed with disabled people, disability organisations and charities, and will cover housing, education and transport. We welcomed the government's announcement of a national strategy for disabled people. Councils provide a wide range of services that support people with disability to remain independent and fully engaged in their communities. We will be working to influence the outcome of the consultation.

25. **The Armed Forces:** In the Queen's Speech the Government committed to honour the Armed Forces Covenant. To do this the Covenant will be further incorporated into law and the Government will also introduce various measures to further support veterans and publish the UK Government's Strategy action plan due in early in 2020. Councils continue to be committed to support Armed Forces serving personnel, veterans and their families and are already working with partners to provide a range of services that help veterans and their families smoothly transition from the Armed Forces to civilian life, and to meet any additional needs arising from their service, including periods of crisis that require intensive support. The bringing forward of new legislation and a new strategy is an opportunity for us to make the case that additional funding is needed to replace capacity that is being lost as a result of the ending of valuable local government projects funded by the Armed Forces Covenant Fund Trust.
26. **Animal welfare:** The Government is committed to bringing forward animal welfare legislation, which will include a clear statement in domestic law that animals are sentient beings. We have welcomed the announcement of new legislation to increase maximum sentences for animal cruelty from six months to five years and improve the welfare of live animals on journeys once we leave the EU. As per previous guidance from members, this has been classified as a medium priority for the LGA as it is an opportunity for us to make the case that councils will always do what they can to respond to animal health and welfare concerns, to actively promote animal health and take forward prosecutions.
27. **Serious Violence Bill:** The Government will bring forward new laws that will require schools, police, councils and health authorities to work together to prevent serious crime. The new legislation will place duties on relevant public agencies and bodies to work together to prevent and reduce serious violence. We support a public health approach to tackling serious violent crime, which is an increasing priority for councils and this legislation is an opportunity make the case for early intervention and prevention. We will also assess the new duties placed on local authorities and press for them to be adequately funded.
28. **The Police Powers and Protections Bill:** The Government will bring forward a Police Powers and Protections Bill which will introduce a statutory requirement for the Home Office to report annually on progress made against the Police Covenant. It will also include measures to allow special constables (fully warranted volunteer police officers) to join the Police Federation so that they can benefit from the additional protection and support afforded to members. Police officers, police staff and their families are valued members of our communities and we will monitor this and seek to be involved in the development of the Police Covenant to ensure the views of local authorities are taken into consideration.
29. **Online harms:** The Queen's Speech announced that the Government will develop legislation to improve internet safety for all. The Government intends to introduce a new duty of care on companies towards their users, with an independent regulator to oversee this framework. The LGA supports the need to address online abuse and exploitation through the creation of duty of care on online platforms supported by an independent regulator. As per members previous guidance, we will work with national and local government to understand how we can better support councillors who are experiencing online intimidation, abuse and threats against them.

Monitoring

30. **Health Service Safety Investigations Bill:** The Government announced that legislation will be taken forward to establish an independent body to investigate serious healthcare incidents. We will monitor this legislation to see how, it at all it will affect councils. Our view is that measures to improve the clinical governance of the health service sit better with the NHS than with local authorities and we welcome the commitment to amend the 2009 Act to give responsibility to the English NHS to appoint medical examiners.
31. **Employment Bill:** The Government has committed to bring forward measures to encourage flexible working, to introduce the entitlement to leave for unpaid carers. Flexible working is offered by councils and is an important way of supporting people in their work whilst improving recruitment and productivity. We will therefore monitor these proposals and look forward to working with the Government to provide the detailed analysis and intelligence from councils in their role as employers.
32. **Victims' law reform:** The Government announced that it will consult next year on a Victims' Law that guarantees victims' rights and the level of support they can expect. A revised Victims' Code is also set to be published in early 2020 and this will set out the minimum level of service victims can expect from criminal justice agencies. It is correct that there should be clarity about victims' rights and the level of support they can expect, and that support for victims of terrorism and their families should be strengthened. We will monitor these proposals for any impacts on councils in order to ensure that a revised Victims' Code continues to reflect the breadth of different offences (including a range of different regulatory issues) that fall within the scope of the criminal justice system and take an appropriate, proportionate approach to them.
33. **Rail Reform:** The Government has committed to publish a White Paper on rail reform which will be informed by the recommendations of the William's Review. We welcomed indications from the previous Government that there may be a greater role for local government in rail and we await the detailed proposals with interest. We have offered to develop the details with the Department for Transport and we will be monitoring the situation to analyse the impacts on local government.
34. **Boycotts by public institutions:** The Government has committed to stopping public institutions from imposing their own approach or views about international relations. The Government has said they will do this by preventing boycotts, divestment or sanctions campaigns against foreign countries and those who trade with them. We will monitor this legislation as councils seek to promote democratic values in the way they use taxpayers' money and this will sometimes include taking ethical considerations, or the promotion of their local economy, into account where due process allows this.
35. **Birmingham Commonwealth Games Bill:** The Government has announced a Birmingham Commonwealth Games Bill. The Birmingham Commonwealth Games offer an important opportunity to celebrate our athletes and inspire a new generation to become more active. We will monitor this legislation as the Government will want to ensure that all parts of the country have facilities and activities in place for people to turn their enthusiasm into activity, build new active habits to keep them healthy, and develop into the medal winners of the future.

36. **Further Bills in the Queen's Speech:** The Queen's Speech also introduced other legislation that does not affect local government. We will monitor these Bills as it they are published and should there be a need to engage with them on behalf of local government, we will work with the relevant policy board(s) and Group Offices to agree our corporate positions.