

Queen's Speech 2021

Purpose of report

For direction.

Summary

To update the Executive Advisory Board of the Local Government Association (LGA) on the May 2021 Queen's Speech and to seek approval on the Bills the LGA should prioritise, based on the organisation's business plan and advocacy priorities, for the purpose of its lobbying.

Recommendations

To discuss and agree the recommended prioritisation of the LGA's legislative lobbying for the next parliamentary session.

Actions

To take forward the LGA's legislative lobbying.

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Queen's Speech 2021

Background

1. The Queen's Speech announced the Government's agenda for the next Parliamentary session of 2021-2022. The Speech contained many measures that will be of relevance to councils and this paper seeks to summarise the key Government Bills that will come before Parliament and proposes a prioritisation for the LGA's engagement with them.
2. The Speech also made a series of policy announcements – particularly around levelling-up, social care and climate change – that are not covered in this paper as it focuses on how the Association will use parliamentary process to influence Bills which are set to come forward for scrutiny. The LGA continues to lobby on these and many other issues are important to the sector (this broader set of issues is addressed via the Headlines document, LGA conference document and the Spending Review). The LGA will of course also continue to use its parliamentary communications to provide thought leadership and influence parliamentary reports and debates in order to help our efforts to shape decision-making ([our LGA in Parliament 2020/21 report provides further details about this work](#)).
3. The full Queen's Speech can [be found on the Government's website](#) and our 'on the day' briefing to member councils is available on the [LGA website](#).

Issues

4. Following a Queen's Speech, the LGA uses its business plan to prioritise the legislation and key policy announcements that the organisation will seek to influence. This prioritisation is based on cross-party political direction to ensure 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:
 - 4.1. **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.
 - 4.2. **Medium profile engagement:** For legislation which is important, but does 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.

- 4.3. **Monitoring:** For legislation that has 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.
5. 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.
6. 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.

<u>High priority</u>	<u>Medium priority</u>	<u>Monitoring</u>
Planning Bill	Police, Crime, Sentencing and Courts Bill	Draft Victims Bill
Environment Bill	The Electoral Integrity Bill	Product Security and Draft Telecommunications Bill
Skills and Post 16 Education Bill	Procurement Bill	Subsidy Control Bill
Health and Care Bill	Armed Forces Bill	Dormant Assets Bill
Building Safety Bill	Animal Welfare Plan and Legislation	Professional Qualifications Bill
	Draft Online Safety Bill	

High Profile engagement

Planning Bill

7. The Queen's Speech announced that legislation will be brought forward to modernise the planning system so that more homes can be built. According to the Government, this will include changing local plans so that they provide more certainty over the type, scale and design of development permitted on different categories of land; significantly decrease the time it takes for developments to go through the planning system; replacing the existing systems for funding affordable housing and infrastructure from development with a new more predictable and more transparent levy; and reforming the framework for locally led development corporations to ensure local areas have access to appropriate delivery vehicles to support growth and regeneration.
8. Based on previous guidance from members, this Bill will be a high priority for the LGA and we will make the case that certainty through Local Plans is critical as is resources to transition to a new system. It is also an opportunity to reinforce our message that councils also need powers to incentivise developers to build and ensure there is a mix of homes – to rent and buy – that are available and affordable to people that need them. Further information on [our response](#) to the proposals on planning reform can be found in our submission to the consultation on the Planning White Paper.

Environment Bill

9. The Queen's Speech confirmed that the Environment Bill will be carried over into the new parliamentary session and based on previous discussions with members, this will continue to be a high priority for the LGA. The Bill has been through its House of Commons stages and is due to be scrutinised by the Lords where we will reinforce our message that the legacy of the COVID-19 pandemic must be that we, as a nation, grasp the opportunity to protect and enhance our natural environment, and tackle the climate emergency.
10. We will continue to work with the Government on the Bill's intention to strengthen local powers in relation to air quality enforcement. Existing mechanisms are decades old, misaligned with one another and need to be reformed to fit with modern sources of emissions. The Bill also points to a new environmental relationship between local and national government, with potentially greater responsibility sitting with councils. The impact of this is that councils will have a new environmental improvement role within their localities.
11. Local government is well placed to take the lead on this agenda but to deliver on these ambitious plans they will need to have appropriately skilled staff and adequate resources. At this stage it is difficult to predict the impact of the legislation and the costs for local authorities in meeting their new statutory duties. We are therefore going to work with

Government and parliamentarians to take forward our recommendation that the Bill is amended to ensure an assessment is made of how the new duties are operating into the future and ensuring local authorities are sufficiently funded.

Skills and Post-16 Education Bill

12. The Queen's Speech announced a Skills and Post-16 Education Bill that will support a lifetime skills guarantee to enable flexible access to high quality education and training throughout people's lives. It also aims to put employers at the heart of the post-16 skills system through the Skills Accelerator, by enabling employers and providers to collaborate to develop skills plans aimed at ensuring local skills provision meets local needs.
13. Achieving a localised approach to skills provision that improves outcomes, helps build the economy and is more efficient has been a long-standing priority for the LGA and for that reason it is recommended that this Bill be categorised as a high priority. We will use our parliamentary engagement to make the case that adult training must be delivered by strong local providers including colleges, independent training providers, and council run adult education centres. There should be the offer a clear pathway to further learning and work, with support for those who need to increase their basic skills and go on to further learning and work.
14. The spatial and funding scope of the Local Skills Improvement Plans (LSIP) is yet to be defined by Government. The Bill is therefore an opportunity to reinforce the point that the scope of LSIP should be informed by the new DfE trailblazers. Moreover, councils and Mayoral Combined Authorities provide strong local strategic and democratic oversight to the delivery of post 16 and adult skills provision and given this local government involvement will be critical to the success of LSIPs.

Health and Care Bill

15. The Government has announced that it will bring forward legislation to empower the NHS to innovate and embrace technology. Through the Health and Care Bill it is intended that patients will receive more tailored and preventative care, closer to home.
16. The Bill is a high priority for the LGA as we support Integrated Care Systems (ICS) as a strong driver for integrating health services in a system through the Integrated Care Board and an ICS Health and Care Partnership. We will use our parliamentary engagement to make the case that the Bill should ensure parity of esteem between the Integrated Care Board and an ICS Health and Care Partnership.

17. It is also an opportunity to highlight that, wherever possible, the ICS footprint must be coterminous with the local government. We will therefore continue to call on the Government to resolve any problematic ICS footprints at the earliest opportunity through a transparent transition process that involves all relevant councils and NHS organisations.
18. Meanwhile the Bill is likely to implement the measures in the Health and Care White Paper relating to adult social care and public health, notably proposals to introduce assurance of local government's adult social care provision. The passage of the Bill through Parliament will be an opportunity to make the case for a review-driven approach that looks at whole systems, is based on a shared agreement of what good looks like, and is person-centred to provide locally flexible care and support. We will also make the case that any new processes for assurance and oversight need to be accompanied by a New Burdens assessment to fairly capture the resource implications for councils and others in meeting new regulatory approaches.
19. For a more detailed commentary on the Health and Care White Paper, which outlines many of the proposals the Health and Care Bill will look to enact, please read our fully policy [position paper](#).

Building Safety Bill

20. The Queen's Speech announced that there will be a Bill to establish in law a new Building Safety Regulator to ensure that the tragedies of the past are never repeated. The key elements in the Bill include creating a Building Safety Regulator, with a duty on council regulators and fire and rescue authorities to cooperate with it; introducing new duties for those responsible for residential buildings over 18 metres or seven storeys, including stock-holding councils; and establishing a new framework to provide national oversight of construction products and strengthen the powers of the Office for Product Safety and Standards in this area.
21. The LGA has engaged with pre-legislative scrutiny of the proposals in the last Parliamentary session. This legislation will continue to be a high priority for the LGA as the Bill cannot come soon enough as our broken building safety system needs reforms to be enshrined in tough new legislation.
22. We will use our lobbying to make the point that no leaseholder should have to pay the costs of making their home safe; that social housing providers will need to be protected from these; and that building safety is not only an issue for buildings over 18 metres which is why a risk-based approach, which considers the vulnerabilities of residents, is required.

Medium profile

Police, Crime, Sentencing and Courts Bill

23. The Government announced that it will bring forward measures to increase sentences for the most serious and violent offenders and ensure the timely administration of justice. The Bill covers a broad range of community safety issues and seeks to introduce measures which aim to have an impact on victims of crime, those who perpetrate crimes, and wider community safety. It is a carry-over piece of legislation, and the LGA has briefed for it and appeared before the Public Bill Committee to discuss our response to the proposals.
24. It is recommended that the Bill be a medium priority so we will engage with government and Parliament on the proposals to guard against negative impacts on councils, and we are calling for further formal consultation on several measures in the legislation, but we do not intend to push for significant changes across the Bill.
25. We will also be making the point that it is important for this Bill to complement the measures outlined in the Domestic Abuse Act, the forthcoming Violence Against Women and Girls (VAWG) Strategy, the Draft Victim's Bill, as well as wider legislation and guidance, to ensure that simultaneous changes to the local government community safety landscape are considered collectively and carefully.

The Electoral Integrity Bill

26. The Government has made commitments to legislation that in its view aims to strengthen and renew democracy and the constitution. The Queen's Speech also announced that further legislation will be introduced in regard to the integrity of elections. The core elements of the proposals included: improving the absent ballot process by increasing protection on postal and proxy voting, including banning postal vote 'harvesting'; strengthening the laws on intimidation and undue influence; requiring identification to vote in a polling station, as already required in Northern Ireland; extending the 'imprint' requirement to digital political campaigning and introducing measures to prevent foreign interference in elections; improving access to voting for electors with disabilities; and removing the 15-year limit on the voting rights of British expats and making it easier to cast their vote.
27. Government has indicated that under this legislation, local authorities would be responsible for the cost of providing "voter cards" for those without appropriate ID. Previous estimates have put this cost between £1.8 and £10.8 million per annum, depending on the design of the scheme. Measures to protect postal and proxy voting and the impact of removing the 15-year limit on the voting rights of British expats will also have resourcing and therefore cost implications for council registration and election team. Recent Cabinet Office research on ID availability found that 91 per cent of respondents had valid photographic identification. Certain protected and non-protected groups were less likely to have access to photographic ID, including Gay and Lesbian, severely disabled, non-binary, unemployed electors, and those without formal qualifications or who were in poor or very poor health.

28. It is recommended that this Bill be a medium priority so that we can engage with government and Parliament on the proposals and guard against negative impacts on councils and local democracy. Councils will of course want to understand more about how the proposals for voter identification, extension of the rights of overseas voters and changes to the postal and proxy voting systems might work in practice. Local government will also want to be assured that proper impact assessments have been completed to understand and mitigate the potential impact on protected groups and that councils are not adversely affected by the implementation or cost of complying with new duties or processes.
29. We have previously welcomed the commitment to legislate to protect those standing for public office and their campaigners from intimidation and abuse and to clarify the existing offence of Undue influence. The LGA supported the Government's proposals in the 'Protect the debate' consultation to develop now electoral legislation to tackle intimidation and continues to call the creation of a specific offence to protect elected members while in office.

Procurement Bill

30. The Government has announced a Procurement Bill to simplify procurement in the public sector. It is recommended that this Bill be a medium priority as we will work with Government, as we have done on the associated Green Paper, and seek to brief parliamentarians on the main aspects of the proposals and how they affect local government.
31. Previously the LGA has welcomed the ambition to transform public procurement as set out in the Transforming Public Procurement Green paper (2020), including the move to simplify and reduce the number of procurement procedures from seven to three. We support the aim to introduce a new 'flexible procedure' to buy goods and services although there are some concerns around creating new bureaucracy and how the procedure might work in practice.
32. The LGA has also been working with Government on the new regime to ensure councils' needs are considered in relation to the proposed National Procurement Policy Statement (NPPS). New priorities set out in relation to social value, pipelines and benchmarking capabilities are all things we have been promoting in the LGA's National Procurement Strategy since 2018. There are however concerns that the proposed single supplier registration requirement and increased processes in the way councils will need to conduct tenders will add complexity. We are concerned that the changes to the current procurement rules for the NHS might lead to an uneven playing field between local government and the NHS. Any measures to reduce procurement requirements on the NHS must not, inadvertently, create barriers to joint commissioning or local authority-led commissioning. The LGA and councils look forward to working with the Government to ensure the new system is a success.

Armed Forces Bill

33. The Government announced that it will bring forward an Armed Forces Bill. This will honour and strengthen the Armed Forces Covenant, placing it in law. It also introduces a new duty to require relevant public bodies across the UK, when exercising specified public functions in the education, healthcare and housing sectors to have due regard to the core principles of the Armed Forces Covenant.
34. This Bill is carried over from the last parliamentary session and the LGA has already given evidence on the proposals to the Public Bill Committee. It is proposed that the Bill be a medium priority as it is an opportunity to promote the work of councils in signing the voluntary Armed Forces Covenant and their commitment to honoring their obligations to those who have served their country.
35. We will continue to fully support the aim of the Bill to help ensure armed forces personnel, veterans and their families are not disadvantaged by their service when accessing key public services. We will continue to work positively with government to further embed the Covenant locally, building upon what has already been achieved. We will also continue to make the case that it is important that potential new burdens are fully funded by national government and kept under review so that councils can continue to deliver high quality services to their armed forces community. We will be working with Government to understand further guidance on the Bill, which will set out what is expected of councils in greater detail.

Animal Welfare Plan and Legislation

36. An Animal Welfare Plan and supporting legislation will be brought forward by Government as it seeks to ensure the United Kingdom has, and promotes, the highest standards of animal welfare. These plans include delivering on the Government's commitment to the highest standards of animal welfare by creating an Action Plan for Animal Welfare and legislation; recognising animal sentience in law through the Animal Welfare (Sentience) Bill; and increasing protections for pets, sporting animals, and farm animals by ending the export of live animals for slaughter, banning the keeping of primates as pets, improving standards in zoos and cracking down on puppy smuggling, and enhancing conservation through a Kept Animals Bill.
37. It is proposed that this legislation is a medium priority as we support the objective of increasing animal welfare standards and eradicating cruel practices both domestically and internationally. We will also use it to make the point that the Government should balance the need to educate consumers alongside the need for enforcement, particularly in terms of poor welfare overseas, and it must ensure councils can practicably take action in response to new regulations.

Draft Online Safety Bill

38. The Queen's Speech announced the planned introduction of new laws to keep people safe online whilst ensuring that users' rights, including freedom of expression, are protected online. The Bill will place a duty of care on companies to improve the safety of their users

online which will require them to tackle illegal content on their services and to protect children from harmful content and activity online. It will also designate Ofcom as the independent online safety regulator and give it a suite of robust enforcement powers to uphold the regulation.

39. This Bill has been designated as a medium priority as it is an opportunity for us to make the point that abuse online or offline should not be tolerated. We will also work with government to build a thriving digital economy that is trusted by and protects everyone in the UK while ensuring users' rights, including freedom of expression.
40. We will also make the point that councils' trading standards teams play a vital role in tackling fraud, including online, and additional funding would allow councils to support the Government's ambitions to tackle a greater number of online scam cases. In addition, it is vital that online platforms take responsibility for fraudulent activity taking place on their sites.

Monitoring

Draft Victims Bill

41. The Government has committed to bringing forward new proposals to support victims and this will enshrine key rights into the new Victims Code. It is recommended that we monitor this legislation as we welcome the Government's commitment to enshrine victims' rights into law, as this will help to ensure victims are more consistently supported and thereby enable them to deal with and recover from the impacts of crime. The proposals should also improve victims' experiences within the criminal justice process.
42. We will also make the point that it will be important for the Bill to recognise that 'victims of crime' will apply to a broad range of crimes – including those where the victim is also a perpetrator, such as in cases of child criminal exploitation – and there will be different prosecuting authorities involved in these cases. Listening to, and engaging with victims of crime, and understanding more about their lived experience, will be vital in helping to achieve meaningful change and reform. We are also keen to work with the Government to ensure child victims of crime receive suitable support.
43. Moreover, the LGA has long called for greater investment in domestic abuse community-based support services, as well as early intervention and prevention services, and perpetrator programmes. It is therefore positive to see the Government has committed to consult on the provision of community-based domestic abuse services and will set expectations for the standard and availability of victim support for victims of domestic abuse and sexual violence.

Product Security and Telecommunications Infrastructure Bill

44. The Government announced that proposals will be taken forward to extend 5G mobile coverage and gigabit capable broadband. This will include reform to the Electronic

Communications Code to support faster and more collaborative negotiations for the use of private and public land for telecommunications deployment.

45. It is recommended that we monitor this legislation to ensure that the proposals do not adversely affect local government or their communities. 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. We therefore look forward to working with the Government and Industry to ensure genuine collaboration that respects the needs of local communities and meets the growing demand for high quality digital connectivity.

Subsidy Control Bill

46. The Government has committed to take forward a Subsidy Control Bill that will implement a domestic UK subsidy control regime that in their view reflects the nation's strategic interests and national circumstances. This includes creating a consistent set of UK-wide principles that public authorities must follow when granting subsidies; exempting categories of subsidies from certain obligations of the regime or leaving out of scope entirely; and prohibiting and placing conditions on certain types of subsidies which are at a particularly high risk of distorting markets.
47. It is proposed that we monitor this legislation for its impact on local government as the UK's new subsidy control regime must give a green light to the ambitions of local areas. If it is required, we will be making the point that addressing the needs of local areas through specific financial support to businesses and local organisations must become a stated objective for the regime. This will ensure changes in the law deliver genuine benefits on the ground.

Dormant Assets Bill

48. The Queen's Speech announced a Dormant Assets Bill to support the voluntary sector by reducing unnecessary bureaucracy and releasing additional funds for good causes. The core elements of the Bill include: expanding the Scheme into new asset classes and improving consumer protection in reuniting people with forgotten money; aligning the model for how dormant assets funding is allocated in England with that used in the devolved administrations; and improving the Scheme's operation, for example by allowing the Scheme's administrator, Reclaim Fund Ltd, to only accept transfers from participants who have undertaken appropriate efforts to trace, verify and reunite the asset with its rightful owner.
49. It is proposed that we monitor this legislation to ensure there are no negative impacts on councils. Voluntary and community sector organisations are vital partners for councils across a wide range of issues. COVID-19 has led to a significant increase in demand for support from the voluntary and community sector and had an impact on major income streams from retail units and fund-raising activities. We therefore look forward to understanding more about how the Bill will support the voluntary sector to tackle social and environmental challenges facing local areas.

Professional Qualifications Bill

50. The Government plans to bring forward a Professional Qualifications Bill to create a new framework to recognise professional qualifications from across the world to ensure the UK can access professionals in areas where there may be a workforce shortage. This will replace the interim system that gives preference to professional qualifications from the EU, Switzerland, Norway, Iceland and Liechtenstein.
51. It is proposed that we monitor the proposals as the initial impact for local government will be around social workers because that is the only regulated profession on the current shortage occupation list for which councils are the main employer and may wish to recruit more widely overseas. The LGA will therefore seek clarification on the impact for other professions where the sector experiences recruitment difficulties.

Implications for Wales

52. We anticipate that the territorial jurisdiction of the legislation we are set to engage with will be limited to England. We will however update WILGA as required, particularly if it becomes clear that a piece of UK Government legislation is significant for them.

Financial Implications

53. None.

Next steps

54. Members to discuss and agree the LGA's priorities for its legislative lobbying in the next parliamentary session.