

Appendix A – Queen’s Speech Briefing Paper

Legislation

Levelling Up and Regeneration Bill

Overview

- *The Levelling Up and Regeneration Bill, published on 11 May 2022 and with an accompanying policy note, aims to drive local growth, empower local leaders to regenerate their areas, and ensure everyone can share in the United Kingdom’s success.*
- *It will place a duty on the Government to set Levelling Up missions for a period of no less than five years, through a levelling up mission statement, and produce an annual report updating the country on the delivery of these missions.*
- *The Bill will create a new model of combined authority called combined county authorities.*
- *It will streamline the process for authorities to bring forward proposals for combined authorities and to move into directly elected leadership governance models more quickly, to support devolution deals.*
- *The Bill will also introduce a number of reforms to the planning system, including:*
 - *Strengthening neighbourhood planning and digitalising the system to make local plans easier to find, understand and engage with; by making it easier for local authorities to get local plans in place, we will limit speculative development.*
 - *Improving outcomes for our natural environment by introducing a new approach to environmental assessment in our planning system. This benefit of Brexit will mean the environment is further prioritised in planning decisions.*
 - *Capturing more of the financial value created by development with a locally set, non-negotiable levy to deliver the infrastructure that communities need, such as housing, schools, GPs and new roads.*
 - *Simplifying and standardising the process for local plans so that they are produced more quickly and are easier for communities to influence.*

- *Introducing new powers for local authorities to bring empty premises back into use and instigate rental auctions of vacant commercial properties in town centres and on high streets.*
- *The Bill will also change the process by which street names can be altered and ensuring everyone can continue to benefit from al fresco dining.*
- *Additionally, clauses 72 and 73 of the Bill includes provisions on council tax and will amend the definition of long-term empty homes so that it will apply to dwellings empty for one year, rather than two years as at present. This means that councils will have powers to charge up to double council tax for these homes.*
- *Billing authorities will also have powers to charge up to double council tax for dwellings which are substantially furnished and periodically empty (the explanatory note to the Bill says these are often referred to as 'second homes'). A billing authority's first determination under this section must be made at least one year before the beginning of the financial year to which it relates.*
- *Clause 71 of the Levelling Up and Regeneration Bill proposed amendments to the Local Government Finance Act 2003 to enable the Secretary of State to give one or more risk-mitigation directions to a local authority in England.*
- *The Bill describes risk-mitigation as:*

*“(a) a direction that sets limits in relation to the borrowing of money by the local authority;
(b) a direction that requires the local authority to take action specified in the direction.*

The action specified “may (amongst other things) require the local authority to take action to divest itself of a specified asset”

LGA view

- Over the last decade, England has taken steps towards greater devolution, but areas outside our city regions have remained stuck in the 'devolution slow lane' and the UK remains one of the most centralised countries in the democratic world. We are pleased that the Government has proposed to speed up the process and make good on its commitment to offer all of England the opportunity to benefit from a devolution deal by 2030. The experience of previous rounds of devolution negotiations has underlined the value of local collaboration and consensus between all partners and we expect the Government to continue on this basis.
- The draft metrics proposed in the Levelling Up White Paper to measure progress towards the twelve missions are a good first step, but they still fall short of the full

breadth of what is needed to create thriving and inclusive communities. We will work with Government to ensure that the metrics used to produce an annual report on the Levelling Up missions are fully consulted on and reflect the diverse needs and aspirations of communities across the country.

- To deliver on our shared levelling up ambitions and ensure councils can deliver the right types of homes in the right places with appropriate infrastructure, a local, planned system is integral. Proposals that seek to simplify and standardise the Local Plan process and limit speculative development applications are welcome. It is vital that democratic input is retained as part of the local decision-making process to ensure that local people can continue to have a say.
- Councils also need powers to incentivise developers to build and ensure there is a mix of good quality, energy efficient homes – to rent and buy – that are available and affordable to people that need them.
- It is good to see that any new Infrastructure Levy will be non-negotiable and set at a local level. We will want to work with Government to ensure that it is a success and that it delivers more affordable housing and infrastructure contributions at a local authority level than the existing systems for developer contributions. It is vital that new occupants of homes and wider communities get the infrastructure they need, and that councils can access sufficient funding for this infrastructure in line with Local Plan ambitions.
- Empowering councils with further powers to bring vacant properties back into use is also an encouraging step and we will work with Government to ensure that these are simple, inexpensive and effective for councils to use. National permitted development rights, which allow offices, shops and restaurants to be converted into houses and without any requirement to provide affordable homes, also need to be removed so councils can ensure the right homes are built in the right places, and deliver on local ambitions to revive and reimagine our high streets and town centres.
- The planning system has a vital role to play in protecting and enhancing the environment. It is vital that the proposal to introduce a new approach to environmental assessment strengthens environmental protections whilst ensuring that councils can still deliver the new homes and supporting infrastructure that the country needs.
- Supporting councils to build a new generation of high-quality council homes also has to be a national priority if levelling-up ambitions are to be met. This needs to include urgent reform of the Right to Buy scheme to allow councils to keep 100 per cent of receipts from sales of homes and the ability to set discounts locally.
- The Department for Levelling Up, Housing and Communities is currently consulting on proposals in relation to the changing of street names, which will impose additional costs on council taxpayers and strain on electoral staff by requiring referenda to be

held. The LGA urges the Government not to pre-empt the consultation and take the responses to the consultation into account as they decide whether it is necessary and proportionate to pursue legislative change in this area.

- We support the measures, set out in clauses 72 and 73 of the Bill, which give councils more power to charge premium council tax for long term empty and second homes as it will give councils more power to influence local housing markets.
- We are concerned that the proposed risk-mitigation measures in clause 71 of the Bill potentially give the Secretary of State significant powers to intervene in a local authority and are seeking clarification as to what the proposals mean. We will engage with parliamentarians as the Bill progresses to ensure that councils' views on this are represented.

Renters Reform Bill

Overview:

- *The Bill seeks to improve security and conditions for tenants, by abolishing so-called 'no fault' section 21 evictions and empowering tenants to challenge poor practice and unfair rent increases without fear of retaliatory eviction. It will also apply the legally binding Decent Homes Standard in the Private Rented Sector for the first time ever, giving tenants safer, better quality and better value homes.*
- *Councils will be given greater tools to crack down on non-compliant landlords and poor practice.*
- *The Bill will introduce a new Ombudsman for private landlords to help resolve disputes out of court and introduce a new property portal. The portal aims to help landlords understand their obligations, while giving tenants performance information to hold their landlord to account as well as aiding local authorities.*
- *For landlords, the Bill will strengthen rights of possession, introducing new and stronger grounds for repeated incidences of rent arrears and reducing notice periods for anti-social behaviour, ensuring that they can regain their property efficiently when needed.*

LGA view

- We support and recognise the urgent need for action to strengthen protections for private renters. We are therefore pleased that the Government has committed to introducing legislation through the Renters' Reform Bill to strengthen protections for private renters and abolish 'no-fault evictions'.

- Everyone deserves a safe, secure, and affordable place to live. A legally binding Decent Homes Standard to improve conditions in the private rented sector is therefore broadly welcome. Any new responsibilities falling on councils will need to be adequately funded and we look forward to seeing more detail in the forthcoming Private Rented Sector White Paper.
- The introduction of an Ombudsman for the private rented sector, as an additional mechanism for tenants to take action against their landlord in circumstances that warrant it, is a welcome step.
- We would support new measures, such as a property portal, to support tenants to better understand their rights, understand what action can be taken if there are issues in their home and in what circumstances the local council can intervene.

Social Housing Regulation Bill

Overview

- *The Bill intends to improve the regulation of social housing to strengthen the rights of tenants and ensure better quality, safer homes.*
- *It will strengthen the powers of the Social Housing Regulator to improve standards, by enabling it to:*
 - *Intervene with landlords who are performing poorly on consumer issues, such as complaints handling and decency of homes, to rectify issues.*
 - *Give 48 hours' notice to a landlord before a survey is carried out, enabling the regulator to act more quickly where it has concerns about the decency of a home.*
 - *Arrange emergency repairs of tenants' homes following a survey and where there is evidence of systemic failure by the landlord.*
- *The Bill will lift the cap on the fines that the Regulator can issue to a landlord who fails to meet required standards.*
- *Additionally, the Bill will create new Tenant Satisfaction Measures which will allow tenants to see how their landlord is performing and help the Regulator decide where to focus its attention.*
- *It will also enable tenants of housing associations to request information from their landlord in a similar way to how the Freedom of Information Act works for tenants of Local Authority landlords, to increase transparency.*

LGA view

- Councils are determined that tenants should have the security of a safe and well-maintained home with any issues quickly and satisfactorily addressed. The majority of social housing landlords are responsible and provide high quality homes for people to live in.
- We welcome proposals that will strengthen the role of the Regulator to increase the rights of tenants and enable tenants to better hold their landlord to account on consumer issues. It will be important that any new requirements or responsibilities for councils align with proposals being brought forward in both the Fire Safety Act and the Building Safety Act and are fully funded.
- The LGA continues to support councils to improve their housing management services and engagement with tenants through the delivery of a social housing management peer challenge and promotion of best practice, as part of our sector-led improvement offer.
- We will want to work with the Government and the Regulator to ensure that there is a proportionate, risk-based approach to inspection and need urgent clarity on how this will be delivered and funded. A sector-led improvement approach through use of peer reviews and performance benchmarking, could provide a complementary, or even an alternative approach to inspection.
- We would welcome more clarity on the proposal to enable the Regulator to act more quickly and take action where it has concerns about the decency of a home. Social housing landlords should be allowed to and supported to manage their own journey on continuous improvement, with the Regulator's activity prioritising intervention with landlords that are experiencing the most severe challenges. This approach would make best use of limited resources for both council landlords and the Regulator.
- At present, there is a £5,000 cap on fines that the Regulator can impose on social landlords. The Government must consider carefully the implications of removing the cap. Fines on council landlords would in effect end up being paid for, at least in part, out of tenants' rents, to the detriment of local service provision – they should only be used as a last resort.

Schools Bill

Overview

- *The Bill aims to level up opportunity and deliver a higher performing school system that works for every child.*
- *It will include provisions to strengthen the regulatory framework and establish new statutory standards for academy trusts to drive clarity and consistency of expectations. It will also bring in new intervention powers to address serious failures.*
- *It will remove barriers to enable faith schools and grammar schools to join multi-academy trusts and bring more schools into the academy sector where this is requested by local authorities.*
- *The Bill will reform the attendance legal framework, by requiring schools to publish an attendance policy and by putting attendance guidance on a statutory footing, to make roles and responsibilities clearer and improve multi-agency support for families.*
- *It will implement a direct National Funding Formula, so that each mainstream school will be allocated funding on the same basis, based on a consistent assessment of pupils' needs.*
- *'Children not in school' registers will be established, as well as creating a duty on local authorities to provide support to home educating families.*
- *The Bill includes measures to improve safeguarding by expanding registration requirements for independent educational institutions, enhancing enforcement, and working with Ofsted to expand investigatory powers. The Bill will also strengthen and expand the teacher misconduct scheme.*

LGA view

- We are pleased that the Government has acted on our call for councils to be allowed to establish their own multi-academy trusts (MATs). This recognises the important role of councils as education partners and enables maintained schools to continue enjoying a close working relationship with their council where that is the preference of schools and parents.
- We share the Government's view that good attendance at school plays a vital role in children's wellbeing and development. Any new national attendance framework needs to provide clarity for parents, take full account of the discretion given to head teachers to initiate formal legal intervention and should encourage preventative intervention for long-term absence issues.

- We disagree with the principle of Whitehall setting the budgets for 24,000 schools' budgets under the direct National Funding Formula (NFF). It is vital that the Government's proposals retain an element of local discretion, allowing for councils to take local priorities and the needs of all schools in their area into account, and deal with additional school costs that cannot be adequately addressed through a formulaic approach.

The Department for Education (DfE) should clarify how the direct NFF will work in a fully academised school system. Under the direct NFF, MATs will continue to have the freedom to move money between individual schools that form part of their trust via the General Grant Agreement (GAG). As a result, there is a possibility that schools in the same area with the same characteristics, will be funded differently depending on the MAT they belong to. This appears to contradict the aim of every school being funded on the same basis.

- The introduction of a compulsory register for children not in school is welcome. We have long called for a register for all home educators to ensure children are receiving a suitable education in a safe environment. However, we continue to call for councils to be given adequate powers to check on home-schooled children, to ensure they are receiving a suitable education and for safeguarding purposes.
- Action on illegal schools will be key in ensuring children are not taught in an unsuitable or dangerous environment. We are however concerned that Ofsted lack the capacity and local knowledge to act quickly to close illegal settings. The Government should therefore ensure councils, who know their local areas best and are ideally placed to take timely action where these settings are identified, have adequate powers to take action against illegal schools.

Energy Security Bill

Overview

- *The Energy Bill aims to deliver the transition to cheaper, cleaner, and more secure energy, building on the success of the COP26 Summit in Glasgow last year.*
- *The purpose of the Bill is to deliver on the commitments in the British Energy Security Strategy and the Ten Point Plan for a Green Industrial Revolution to build a more secure, homegrown energy system that is cleaner and more affordable.*
- *The main benefits of the Bill will be maintaining a safe and secure energy supply and helping to protect consumers against global price fluctuations, protecting consumers from unfair pricing and attracting billions in private investment and supporting tens of thousands of new, skilled jobs across the UK.*

LGA view

- We support the Government's ambition to protect consumers from unfair pricing by enabling an extension of the price cap beyond 2023 and a move to regulate the heat networks sector. However, fuel poverty is increasing now, and energy price increases will further hit households in the months ahead. We need urgent efforts to decarbonise energy and insulate homes, focused on households in fuel poverty to ensure people can cope with the worsening cost of living crisis.
- Councils want to work as partners with government, industry, and communities to tackle climate change. The position of councils as place-shapers, convenors of communities and local partners, asset-owners, problem solvers and significant purchasers puts them at the forefront of delivering real, tangible changes in the transition to net zero.
- We welcome Government's continuing commitment to a Green Industrial Revolution but it is disappointing that Government has not recognised the role of fabric energy efficiency retrofit measures in decreasing energy demand. 'Fabric first' is the most cost-effective approach to reduce levels of fuel poverty and increasing energy security, network resilience and contribute to achieving the net zero ambition.
- We are pleased Government is seeking to attract billions in private investment and support tens of thousands of new, skilled jobs across the UK. Councils have a key role in the skills agenda at a local level, and many councils have identified green skills as a development area in their climate and ecological emergency declarations.
- We are also pleased that Government is considering taking measures to stimulate growth in the electric heat pump market with the aim of lowering the cost of heat pumps overtime. The transition from gas central heating to electric heat pumps must not place the concept of affordable warmth further out of the reach of the poorest in our society.

Transport Bill

Overview

- *The Bill seeks to boost transport innovation, deliver reforms to decarbonise transport and ensure communities are better connected. It will also deliver reforms to simplify the railways, provide a better service for passengers and secure the railways future sustainability.*
- *The Bill will create a new body, Great British Railways, which will act as the single national leader of the railways. Great British Railways will have contracting powers for passenger services and will be tasked with retaining the best of the private sector*

to drive improvements to services. The new body will work within a clear mandate, goals and budgets set by the Government, who will reserve powers of direction.

- *It will introduce new laws that safely enable self-driving and remotely operated vehicles and vessels; support the roll-out of electric vehicle charge points and enable the licensing of London pedicabs.*

LGA view

- It is vital that the new rail body delivers better outcomes for customers, communities and taxpayers, and needs to engage much more effectively with councils on investment, regeneration and local transport planning.
- Councils are best placed to ensure chargepoints are delivered in the right places and avoiding inappropriate or poor siting. All areas need to benefit from the recent EV Infrastructure Strategy and the accompanying £500 million funding with full local flexibility to maximise the impact of the funding.
- The LGA would welcome further measures being brought forward to protect and enhance bus services. This should include streamlining bus franchising rules, enabling councils to create new municipal bus operating companies and for the Bus Services Operators Grant to be devolved to councils. Crucially, to achieve the ambition of having a well-connected, decarbonised bus infrastructure in every town, city and place, these measures must also be underpinned by sustainable local funding.
- Councils would have liked to see further legislation to help councils tackle the scourge of pavement parking and deal with obstructive parking that is a danger to pedestrians and vulnerable people.
- Councils would also like to see measures brought forward to regulate the use and sale of private e-scooters, of which over 500,000 were sold in the UK in the last year.
- We are pleased that the Bill will require pedicabs operating in London to be licensed as this will improve road and passenger safety. However, there are many other anomalies and gaps in our outdated taxi and private hire vehicle (PHV) legislation and tackling individual issues such as this does not provide the fundamental overhaul required to bring taxi and PHV controls into the 21st century.

High Speed Rail (Crewe – Manchester) Bill

- The Government will also bring forward a Bill to provide the powers to build and operate the next stage of the High Speed Two (HS2) network between Crewe and Manchester. This will be of interest to councils in the region.

Draft Mental Health Act Reform Bill

Overview

- *This Bill aims to give patients suffering from mental health conditions greater control over their treatment and receive the dignity and respect they deserve, making it easier for people with learning disabilities and autism to be discharged from hospital. This includes introducing a statutory care and treatment plan for all patients.*
- *It will include an amendment to the definition of mental disorder so people can no longer be detained solely because they have a learning disability or because they are autistic, changes to the criteria needed to detain people, the introduction of a 28-day time-limit for transfers from prison to hospital for acutely ill prisoners and ends the temporary use of prison for those awaiting assessment or treatment.*
- *The Bill also intends to give patients better support, including offering everyone the option of an independent mental health advocate and allowing patients to choose their own 'nominated person', rather than have a 'nearest relative' assigned for them.*

LGA view

- The LGA strongly supports the reform of the Mental Health Act. We support the emphasis on treating people as individuals as a fundamental principle. We welcome the ambition to achieve meaningful change for people living with severe mental illness, and the central role of local government in supporting this.
- We welcome the intention of the new Mental Health Act to address the rising rates of detention among people from Black, Caribbean, and African backgrounds and improve the experience of people from ethnic minority backgrounds in the mental health system.
- It is essential that the new Mental Health Act recognises the local leadership role of councils and the roles and responsibilities of councils in respect of both statutory and

non-statutory mental health duties, working in partnership with the NHS and local voluntary and community services.

- We support the proposals to revise the new Mental Health Act so that autism and learning disabilities are not considered to be mental disorders and ensure that people can only be detained if there is a probable mental health cause to their behaviour that warrants assessment in hospital.
- The new Mental Health Act will have significant resource implications for councils which need to be fully funded on a long-term basis. The LGA is working with the Government to identify any new burdens arising from the Act and to ensure councils and our partners are adequately resourced to support effective implementation.

Online Safety Bill

Overview

- *This Bill will introduce a duty of care on online companies, making them responsible for protecting users and tackling illegal content, creating safeguards and standards so users know when and how companies are using tools to identify illegal content and to stop harmful material being viewed by children.*
- *The Bill aims to categorise regulated services into three categories within which different duties will apply (category 1, 2A or 2B) based on their number of users (size) and functionalities. Government have stated that category 1 services will primarily be large user-to-user platforms, and will be subject to additional duties including to protect adults from harm; a user empowerment duty; user verification duty and a duty to protect democratic and journalistic content.*
- *Major platforms will be required to set out clearly in their terms and conditions what legal content is unacceptable on their platform and enforce these consistently and transparently. The Bill introduces new criminal communication offences aimed at ensuring individuals posting harmful and illegal content are held to account.*
- *The Bill intends to require platforms to have effective and accessible user reporting and redress mechanisms to report concerns about harmful content, and challenge infringement of rights (such as wrongful takedown), with Ofcom being designated as the independent online safety regulator with a suite of robust enforcement powers.*

LGA view

- Abuse online or offline should not be tolerated. Overall, the LGA welcomes the Online Safety Bill and we hope this Bill will go some way in addressing the concerns we have heard from councillors. However, there are a number of areas in which the Bill should be strengthened.
- We urge the Government to set out as soon as possible which companies will fall into each category and take a risk-based approach to categorising services. We would also like to see the Government set out specific harms that both child and adult users will be protected against through this legislation.
- The LGA welcomes the Bill's ambition to ensure children are safe online and broadly welcome the duty of care placed on in-scope services. However, as currently drafted the Bill fails to account for cross-platform harm, despite the nature of much online harm and exploitation occurring in this way. Services must therefore be instructed to work with one another in addressing cross-platform risk.
- The LGA welcomes the user verification and user empowerment duty within this Bill which applies to category 1 services, as they provide choice to adults on the content and users they want to engage with whilst also allowing users to remain anonymous should they want or need to. However, we urge Government to bring forward a stronger plan to tackle online abuse, harassment and false information that might fall out of scope of this legislation.
- A central component of this Bill is a duty on category 1 services to protect content of journalistic and democratic importance. The LGA has concerns over the potential interpretation and protection these clauses could provide to otherwise harmful content. For example, councillors regularly report that they receive abuse or are targeted by misinformation and smear campaigns from so called 'citizen' journalists. It is unclear whether this content would be protected under these clauses. We urge the Government to tighten the relevant language within the legislation in consultation with relevant expert groups.

Modern Slavery Bill

Overview

- *The Bill aims to strengthen protection and support for victims of human trafficking and modern slavery and increase the accountability of companies and organisations to drive out modern slavery from their supply chains.*
- *The Bill will strengthen the requirement on businesses with a turnover of £36m or more to publish annual modern slavery statements setting out steps they have taken to prevent modern slavery in their operations and supply chains.*
- *It will mandate the reporting areas to be covered in statements, require these to be published on a government registry and introduce civil penalties for organisations that do not comply with the requirements. The requirements on modern slavery statements will also be extended to public bodies including councils.*
- *The Bill will enshrine in law the Government's international obligations to victims of modern slavery, in particular regarding their rights and support, and it will strengthen the operation of slavery and trafficking prevention orders and risk orders.*

LGA view

- The LGA supports extending the requirement to publish modern slavery statements and take steps to prevent modern slavery in supply chains to public bodies.
- Supported by the LGA, many councils have already proactively published modern slavery statements on a voluntary basis. Further direction on mandatory areas to be included within the reporting process will aid consistency and allow councils to focus their resources where most needed.
- We have previously called for the Government to ensure that the UK's obligations to victims of modern slavery under international laws and conventions are clarified in domestic law, so welcome the Government's proposal to introduce this.
- To ensure that councils are fully able to support recovering victims of modern slavery, it is vital that any additional duties placed on councils through these obligations are fully funded. Additionally, the intersection of these obligations with other relevant legislation, such as the Housing Act and Care Act, must also be clear.

Draft Victims Bill

Overview

- *The draft Victims Bill seeks to ensure there is an effective criminal justice system that serves society by restoring victims' confidence that their voices will be properly heard and that perpetrators will be brought to justice.*
- *The draft Bill will enshrine the Victims' Code in law. It will grant a greater role for Police and Crime Commissioners and inspectorates to assess delivery of the services that criminal justice agencies provide to victims, to increase transparency and oversight.*
- *It also intends to enable improvements in the quality and consistency of support services for victims of sexual violence, domestic abuse and serious violence, and increase awareness of Independent Sexual Violence Advisors and Independent Domestic Violence Advisors.*

LGA view

- We welcome the Government's commitment to improve the service and support victims receive – from the moment a crime is committed right the way through to their experience in the courtroom. This will be vital to improve victims' confidence to report crimes and seek justice, and to support victims to rebuild their lives.
- While action to improve victim support is essential and much needed, it is important that the legislation is accompanied by wider action to reduce crime and prevent people from becoming victims in the first place. This must be underpinned by investment in vital early intervention and prevention services and supported by a cross-Government approach, rather than being treated as a solely criminal justice issue.
- Whilst the draft Bill will focus on particular victim support services (domestic abuse, serious violence and sexual violence), it is important that victims of all crimes are supported effectively. It is therefore crucial that the Government ensures its various recent and forthcoming strategies, guidance, and legislation in this space work cohesively with the draft Victims' Law Bill.
- Introducing new legislative duties does not automatically improve collaboration or partnership-working, and if it's not adequately funded, it will not be effective. We would argue that a sector-led approach, which provides local areas with the flexibility and resources to identify local priorities and take action, is one of the best ways to improve collaboration.

Draft Protect Duty Bill

Overview

- *The Bill aims to enhance national security by introducing new security requirements for certain public locations and venues to ensure preparedness for and protection from terrorist attacks.*
- *The Bill will establish a new requirements framework which requires those in control of certain public locations and venues to consider the threat from terrorism and implement appropriate and proportionate mitigation measures. It will also introduce an inspection and enforcement regime, which will seek to educate, advise, and ensure compliance with the Duty.*

LGA view

- Local authorities take threats from terrorism extremely seriously and work hard alongside wider partners to keep their communities safe. We agree that it is important to consider what more can be done to help protect local people and places from attacks.
- The new duty should take a risk-based approach, including the implementation of appropriate and proportionate mitigation measures, which does not allow terrorism to disrupt normal life and inhibit our freedoms to enjoy the places and spaces that are a critical and much-loved part of local communities.
- Introducing the new duty will require significant resource and capacity to ensure that those within its scope are aware of their responsibilities and comply. This must be supported by full funding and time to allow for communication, preparation, guidance and training, and recruitment of specialised staff before implementation can begin. It is also vital that measures to increase security sit alongside continued investment in prevention programmes that stop people being drawn into terrorism.
- We look forward to seeing further details about the proposed inspection and enforcement regime; should this responsibility fall to local authorities, significant additional resources would be required to fulfil this role.

Public Order Bill

Overview

- *The Bill aims to ensure the police have the tools they need to better manage and tackle dangerous and highly disruptive protesting tactics and prevent major transport projects and infrastructure from being targeted by protesters.*
- *It will introduce new criminal offences, extend stop and search powers and introduce 'Serious Disruption Prevention Orders.'*

LGA view

- Whilst any protest, including lawful protest, is likely to have some disruptive impact, protest is long recognised as a fundamental right in a free society.
- We recognise however that it can be a difficult balance to achieve between ensuring freedom of expression, and protest - both integral aspects of our democracy - with responding to activity which may result in disruption or impact on local economies. The proposals require careful consideration and drafting to ensure an appropriate balance can be achieved.

Brexit Freedoms Bill

Overview

- *The provisions in this Bill will create new powers to strengthen the ability to amend, repeal or replace retained EU law by reducing the need to always use primary legislation to do so.*
- *The Bill intends to remove the supremacy of retained EU law as it still applies in the UK and clarify the status of retained EU law in UK domestic law to reflect the fact that much of it became law without going through full democratic scrutiny in the UK Parliament.*

LGA view

- The Bill enables a 'tidying up' process of the statute book to reflect the fact that the UK has left the EU. It changes the status of EU law retained in UK law without directly changing any laws themselves.

- We do not foresee any direct impacts on councils but will want to see that an appropriate level of parliamentary scrutiny is upheld when specific laws are subsequently amended or repealed.
- The LGA has engaged closely on the major reforms of EU-origin law to date including the new subsidy control regime and work ahead of the public procurement Bill.
- We will also engage with any changes proposed to retained EU environmental law, employment law, consumer protection and other relevant areas so that high standards are ensured in the future.

Animal Welfare (Kept Animals) Bill

Overview

- *This Bill aims to strengthen animal welfare in Great Britain and implement the proposals set out in the Government's Action Plan for Animal Welfare.*
- *The provisions in this Bill include ending live imports of animals and addressing the issue of dog attacks on livestock, improving the lives of pets and protecting pet owners by tackling puppy smuggling and creating a new offence for pet abduction; introducing a licensing scheme for primates kept as pets, and improving enforcement and strengthening conservation in zoos.*

LGA view

- We support the Bill's objective of improving animal welfare standards and eradicating cruel practices. However, to ensure the Bill is effectively implemented, it is essential that the measures are fully funded and councils are supported to carry out new duties.
- For example, councils will need up-front funding to set up the new primate licensing scheme, fully funded training for inspectors and guidance on inspections and a pool of qualified vets for councils to draw from. Adequate resourcing and training for council licensing teams will also be essential to achieve the Government's wider ambitions on zoo licensing and companion animals, including action to tackle puppy smuggling.
- This legislation comes at a time when council's regulatory services are facing unprecedented demand but also reducing capacity and challenges in recruitment. The additional enforcement responsibilities placed on councils by this Bill are just a small number of the many and wide-ranging new duties that have been introduced by different government departments and are expected to be enforced by councils.

- To help overcome these challenges, Government should reconsider the cross-government regulatory services task and finish group's recommendations to create a dedicated fund for regulatory apprentices and consider how to secure sustainable funding for regulatory services.

Non-Domestic Rating Bill

Overview

- *The Bill intends to review and create a fairer, more accurate business rates system, and support businesses and employees to enhance productivity and energy efficiency by making improvements to their place of work.*
- *It will include provisions to shorten the business rates revaluation cycle from five to three years from 2023 and improve the valuation accuracy and timeliness in a shorter revaluation cycle through new duties on ratepayers, with measures to support compliance.*
- *The Bill will create a power for the Valuation Office Agency (VOA) to provide ratepayers with information on the calculation of their rateable value and measures will be included to further tighten appeals against rates on the basis of changing circumstances.*
- *It will introduce new 12-month rates relief on increases to rateable value arising from improvements made to a property, and a new 100 per cent rates relief for low-carbon heat networks that are assessed as separate entities for business rates.*

LGA view

- We welcome that the Government is consulting on introducing a package of measures alongside revaluations once every three years. We support measures to improve valuation accuracy and timeliness including new duties for ratepayers to notify the VOA of information on the calculation of their rateable value.
- There should be measures for further information to be provided to billing authorities where this would enable councils to discharge their functions effectively relating, for example, to determining liability and eligibility for reliefs. These should be introduced

at the same time as the VOA measures in order to make ratepayer compliance simpler.

- We supported the reforms to material changes of circumstances due to the COVID-19 pandemic and look forward to seeing the detail in the Bill.
- We look forward to early discussions on implementation of the new reliefs including how councils will be fully compensated for income foregone, as well as for any new burdens arising, from the administration of these reliefs.

Procurement Bill

Overview

- *The Procurement Bill seeks to take advantage of the benefits of Brexit by reforming the UK's public procurement regime to create a simpler and more transparent system that better meets the country's needs, rather than being based on transposed EU directives.*
- *It also aims to boost business by making public procurement more accessible for new entrants such as small businesses and voluntary, charitable and social enterprises, enabling them to compete for public contracts.*
- *The Bill includes provisions to enshrine in law the objectives of public procurement including delivering value for money, maximising public benefit, treating suppliers equally and without discrimination, and acting, and being seen to act, with integrity.*
- *It will require buyers across the public sector to have regard to the Government's strategic priorities for public procurement (as set out in the National Procurement Policy Statement).*
- *New, clearer arrangements for how contracting authorities can buy at pace if necessary to protect life or health, public order or safety, with strengthened safeguards for transparency, will be introduced.*
- *The Bill will bring in new exclusion rules to giving buyers the tools they need to properly take account of a bidder's past performance.*

LGA view

- The LGA broadly welcomes the proposed reforms to the public procurement including enshrining in law the objectives but are keen to discuss the detail with government.
- We have been working with councils and the Government following the Green Paper Transforming Public Procurement in December 2020, helping Government to understand the way that councils procure goods, works and services to enable the new regime to be designed in a way that reduces administrative burdens for councils. We wish to continue to work with Government to develop the granular detail of the reforms.
- Councils should be allowed to set priorities for procurement based on their local strategic priorities. However, we understand that the Government's strategic priorities are in line with what most councils are seeking from procurement as set out in the National Procurement Policy Statement.
- We welcome the proposal for clearer arrangements for local councils to buy at pace if necessary and we would want to discuss the detail with government. We also welcome the new exclusion rules, to tackle unacceptable behaviour and poor supplier performance and would welcome further discussion with government regarding the detail of how this would work with local councils.
- We would welcome a further discussion on a potential nationally funded approach to upskilling council's procurement officers.

Draft Audit Reform Bill

Overview

- *The draft Audit Reform Bill seeks to rebuild trust in the UK's audit, corporate reporting and corporate governance system and the insolvency regulatory framework.*
- *This Bill follows the consultation last year on restoring trust in audit and corporate governance .*
- *The proposals include the formal establishment of the new statutory regulator, the Audit, Reporting and Governance Authority (ARGA), which will also act as the system leader for local audit.*

LGA View

- Local audit faces a number of problems that need addressing. As the Redmond Review concluded, the local audit market is fragile and external audit firms missing audit deadlines has become normal. With the introduction of a draft Bill, any legislation is unlikely to be in place for some time and therefore the problems with the audit market are likely to continue for some time.
- The introduction of the ARGA as a dedicated system leader for local audit is a positive step in the right direction. For this role to be fulfilled there is a need for a dedicated and specialist team within the ARGA with sufficient knowledge of local audit and local government.

Data Reform Bill

Overview

- *The Data Reform Bill seeks to create a world class data rights regime, modernise the Information Commissioner's Office by providing it with enhanced capabilities and powers, and increase industry participation in Smart Data Schemes which will give citizens and small businesses more control of their data.*
- *The main elements of the Bill are to ensure the protection of UK citizens' personal data, enable data to be "shared more efficiently between public bodies", and to design "a more flexible, outcomes-focused approach to data protection".*

LGA view

- Local government has a very strong record of data transparency, including through our award-winning LG Inform data platform.
- Councils agree that people's personal data must be protected and any reform of the data protection framework should not compromise the existing protections that are in place.
- The sharing of data throughout the COVID-19 pandemic allowed public bodies including councils to improve services and health outcomes, and we strongly support the plans to enable data to be shared more effectively between public bodies. We would like to see government departments sharing the locally generated data they

hold more widely to support councils in shaping the places they lead as part of the devolution agenda.

- We would like to see the Government consult with relevant data protection expert groups and professionals in local government on the future of the new data rights regime and any other reforms which will impact on councils' delivery of services. Any new regime or body must add value and not duplicate the work of other bodies.

UK Infrastructure Bank Bill

Overview

- *The UK Infrastructure Bank (UKIB) was launched in June 2021. HM Treasury issued a policy document providing detail on the mandate and design of the bank, its rationale and its initial areas of focus.*
- *Over 5 years the bank will have £4 billion to lend to local authorities for individual high value and strategic projects, at least £5 million of which will support regional and local economic growth or help deliver net zero. Currently all lending by the bank to local authorities has to be via the Public Works Loans Board (PWLB). This Bill establishes the bank as a statutory body which will enable it to lend to local authorities directly.*
- *The Bill will finalise the creation of the UKIB by establishing it in law with clear objectives to support regional and local economic growth and deliver net zero, and ensuring it has the full range of spending and lending powers.*

LGA view

- This will potentially give greater choice in financing options to local authorities and is therefore welcome, councils regularly report financing as one of the greatest challenges in achieving their net zero objectives.
- The LGA has published a guide on Financing Green Ambition which includes further detail on the UKIB, and how it fits alongside other options available to councils.

- The LGA will continue to work with the Government – including through the Local Net Zero Forum - on how to provide the longer-term funding certainty for delivering on the legal commitments to achieve net zero through decarbonising homes and buildings, transport, and energy.

Boycotts, Divestment and Sanctions Bill

- *The Boycotts, Divestment and Sanctions Bill (BDS) seeks to prevent public bodies engaging in boycotts that undermine community cohesion.*
- *The Bill will stop public bodies from taking a different approach to the UK Government on sanctions and foreign relations. This includes preventing public institutions carrying out independent boycotts, divestments and sanctions that converge with UK foreign and defence policy*
- *The Bill will ensure that public bodies conduct purchasing, procurement and investment activities in line with official government measures on both policy and sanctions*

LGA view

- There is already a provision in primary legislation (section 100 of the Public Service Pensions and Judicial Offices Act 2022) (PSPJOA) that gives the Government powers to issue guidance on BDS-related matters in the Local Government Pension Scheme (LGPS).
- Building on this, the proposed Boycotts, Divestment and Sanctions (BDS) Bill will also require local government investment, procurement and purchasing activities to converge with national foreign and defence policy.
- It is unclear whether the BDS Bill will go further than the existing provision in the PSPJOA in relation to the LGPS. We believe there is no need for further provisions to cover LGPS investment decisions.

Product Security and Telecommunications Infrastructure Bill

Overview

- *The Bill will require manufacturers, importers and distributors of smart devices to comply with minimum security standards. The legislation also imposes duties on these businesses to investigate and take action in cases of non-compliance.*

- *It will provide a robust regulatory framework that can adapt and keep pace with rapid technological advances, techniques used by cyber criminals, hostile states and broader global regulation.*
- *This includes reforming the Electronic Communications Code to support faster, fairer and more collaborative negotiations for the use of private and public land to enable deployment of telecommunications networks.*

LGA view

- In an increasingly digitalised world councils are making more local public services available digitally, bringing more of the workforce online and planning greater collaboration and integration work with partner organisations so reviewing and reinforcing cyber security arrangements is a key priority for local authorities.
- Access to fast and reliable digital connectivity is no longer a luxury, but a necessity, and councils have been a key player in the roll-out to the hardest to reach areas in the last five years. We want to work with Government to design an approach to roll out that will benefit from councils' local expertise.
- To accelerate and improve the roll out of mobile and broadband networks and tackle the digital divide, we are calling on Government to provide funding for councils to put in place a local digital champion. This role would act as a central contact point for Government and broadband providers to help problem solve deployment issues in the local area and will be crucial to achieve the target of reaching 85 per cent gigabit-capable coverage and 95 per cent mobile coverage by 2025.
- We welcome measures requiring manufacturers, importers, and distributors of smart devices to comply with minimum security standards. Councils use a range of connected technology and devices that meet tougher security standards and play an important role in protecting the services they support.

Draft Digital Markets, Competition and Consumer Bill

Overview

- *The Government plans to introduce draft legislation to promote competition, strengthen consumer rights and protect households and businesses.*

- *The provisions in the Bill include tackling subscription traps, updating consumer law to prohibit commissioning or offering to provide fake reviews, strengthening protections for consumers using Christmas saving clubs and other similar schemes (which are currently unregulated) and simplifying regulations for package travel.*
- *The Bill will also give the Competitions and Markets Authority (CMA) the ability to determine when consumer law has been broken and issue monetary penalties for those breaches. Additionally, the Digital Markets Unit will be given powers to proactively address the root causes of competition issues in digital markets.*

LGA view

- We welcome new measures to protect consumers from being ripped off by tactics such as subscription traps and fake reviews. We also support the CMA receiving additional powers to fine those who breach consumer protection legislation.
- However, we are concerned that measures to strengthen the consumer landscape overall will be undermined by the continued hollowing out of local trading standards services and shortages in the pipeline of qualified trading standards officers.
- We urge Government to look again at the cross-government regulatory services task and finish group's recommendations to create a dedicated fund for regulatory apprentices and consider how to secure sustainable funding for regulatory services.

White Papers, Green Papers and Policy measures

Independent Football Regulator White Paper

Overview

- *The White Paper, set to be published in the Summer, intends to reform football governance to enable a long-term, sustainable future for the game, following the Fan-Led review of football.*
- *This will include establishing a new independent regulator of professional football in England, allow the regulator to oversee a new licensing regime for professional football in England, ensure owners and stewards are "fit and proper" people to manage football clubs, and will ensure fans are engaged when football clubs make important changes to a club's heritage such as the name of the team, club logo or team strip.*
- *The reforms will support the long-term future of the game, ensuring football clubs are run in a more financially sustainable way through new independent regulation.*

LGA view

- Football clubs play an important role in local communities. A well-run club can contribute towards achieving the Government's Levelling Up missions for improving pride of place, increasing local employment and productivity, improving health and wellbeing and reducing crime through its wider social impact on local areas.
- We look forward to seeing the Government's proposals for implementing the recommendations from the Fan-Led review. The White Paper is an important opportunity for the Government to improve equality, diversity and inclusion in clubs and parity for women's football. Doing so could help contribute to wider efforts to improve the activity levels of women, disabled people and Black, Asian and Minority Ethnic groups which are significantly lower following the COVID-19 pandemic.
- The reforms will need to take into account and join up the Government's intention to review the eligibility requirements for future rounds of the Community Ownership Fund (COF) to support more communities to take control of their local football grounds and other vital local sporting and community assets where these are at risk.
- We would like to see the Government's proposals include additional protections for club heritage and to support the welfare of players – particularly young players.

Women's Health Strategy

Overview

- *Following a public consultation in March 2021, the Government intends to publish the first-ever government-led Women's Health Strategy for England.*
- *The Strategy will focus both on priority healthcare issues for women across the course of their lives, including menstrual health and gynaecological conditions; fertility, pregnancy and pregnancy loss; the menopause; healthy ageing and long-term conditions; mental health; and the health impacts of violence against women and girls.*

LGA view

- Local government plays a key role in public health and is working with partners in the NHS to take a collaborative approach to the commissioning of women's health services. We welcome the Women's Health Strategy as an important opportunity to improve women's healthcare outcomes and provide tailored services that support women throughout the course of their lives.

- Councils have been working hard to maintain and expand access to reproductive health services, despite significant funding pressures. To achieve the strategy's ambitions, it is crucial that there is a meaningful commitment to increase the public health budget, alongside ring-fenced funding for sexual and reproductive health services.
- Across England women's life expectancy continues to vary as much as eight years between the most and least deprived areas. We want to work with Government to seize the opportunities in the Women's Health Strategy and the Health Disparities White Paper to tackle persistent health inequalities.

Measures not covered in the Queen's Speech

Health Disparities White Paper

- The Levelling Up White Paper, published earlier this year, set out an ambitious goal to reduce the gap in healthy life expectancy between the most deprived and affluent communities, but does not make a clear enough connection between health outcomes and the circumstances in which people live, despite the clear link between socioeconomic and health inequality.

LGA view:

- To truly level up the nation's health, we urge the Government to bring forward the Health Disparities White Paper, which was missing from the Queen's Speech, as soon as possible.
- Crucially, the White Paper must address the social determinants of health, which influence a person's opportunity to be healthy, their risk of illness and life expectancy.
- Health improvement will not be effective if it focusses solely on individual behaviour and healthy lifestyles, without acknowledging the deeply entrenched and complex factors influencing poor health. So, while efforts to tackle smoking, alcohol and obesity, which are huge drivers of poor health outcomes, is laudable, it is vital that the White Paper explores the underlying structural reasons behind why smoking rates, obesity and alcohol misuse within some communities are so high.

- It is also important that the White Paper embeds improving health and wellbeing as an objective across Government Departments, and not simply through the Department of Health and Social Care. For example, we would like to see a strong narrative around the link between economic prosperity, productivity and worklessness and the disparities in health, so this can be effectively addressed by the relevant Departments.
- We welcome the focus on prevention, but intent and ambition needs to be matched with adequate investment. Councils' public health grant has been cut by 24 per cent on a real-terms per capita basis since 2015/16.

Online meetings

The Queen's Speech did not announce a Bill to allow councils to hold online and hybrid council meetings. It has been almost a year since the Department for Levelling Up, Housing and Communities call for evidence on remote council meetings closed in June 2021 and the Government have failed to publish the results or take any steps to address this issue.

LGA view

- The flexibility to meet virtually was paramount during the pandemic to allowing councillors and the public to attend council meetings. Now councils want the flexibility to meet in this way to be reinstated so that they can continue to work in the most accessible and resilient way possible, especially in times of emergency such as when there is adverse weather or flooding.

Councillors' home addresses

Earlier this year, the Department for Levelling Up, Housing and Communities published a response to the Committee for Standards in Public Life 2019 report into local government ethical standards in which they agreed in principle that councillors should have option to keep their home address private as a matter of personal safety. The Queen's Speech did not include measures to implement this recommendation.

LGA view

- The *intimidation* and abuse of *councillors*, in person or otherwise, undermines democracy as it can deter people from standing for election.

- Existing legislation should be amended to provide flexibility for councillors to omit their full address from their council's register of pecuniary interests, as they now can on the ballot paper when they stand for election.