

Executive

Implications of the Localism Act 2011

6 February 2012

Report of Head of Law and Governance

PURPOSE OF REPORT

To enable the Executive to receive a summary of the provisions of the Localism Act 2011 and to consider any implications arising at this stage.

This report is public

Recommendations

The Executive is recommended to:

- (1) Consider the summary of the provisions of the Localism Act 2011 (“the Act”) at Appendix 1.
- (2) Identify any implications of the Act that it wishes to consider more fully at a future meeting and request the relevant officers to report back accordingly at the appropriate time.
- (3) Notes the intention of officers to take a similar report to the February Council meeting when the mandatory statement of pay policy will also be reported for approval.

Executive Summary

Introduction

- 1.1 The Act received Royal Assent on 15 November 2011 although, to date, very few of its provisions are in force.
- 1.2 A summary of the Act’s provisions has previously been circulated to all Members and it is appended to this report for information.

Proposals

- 1.3 That Executive considers the summary of the Act appended and indicates any specific aspects that it wishes to consider in more detail at a future meeting, acknowledging that in many instances detailed guidance and further regulations are to follow at a later date.

Conclusion

- 1.4 The Act will clearly have a significant impact on the Council in a number of areas but and consideration of the detailed strategic implications will have to take place at a later date.

Background Information

- 2.1 A previously circulated summary of the Act's provisions is at Appendix 1.
- 2.2 In order to keep the summary to a manageable size it is, of necessity, pitched at a high level and there is much more detail contained in the actual provisions of the Act. However the real detail will follow in most cases via proposed further published guidance and/or Regulations. This is why, at this stage, very little of the Act is actually in force.
- 2.3 Some of the provisions which did come into force either on Royal Assent or on 15 January 2012 include:-
- Transfer of functions
 - Governance arrangements
 - Pre-determination
 - Transitional provisions for standards including cessation of the role of Standards for England by 31 January 2012
 - Pay accountability
 - Non domestic rates (in part)
 - Council Tax referenda for "excessive" increases
 - Abolition of home information packs
- 2.4 Although the indicated timescales for the introduction of the remainder of the Act are tentative a substantial proportion may well come into force as early as April 2012 and the Joint Management Team is considering the likely resource implications of some of the provisions at this early stage.
- 2.5 It is intended to take a similar report to full Council in February given the corporate significance of this legislation and, as part of that report, officers intend to seek approval to the pay policy statement which the Act requires to be done by 31 March each year.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 As this report is for information only there are no alternative options to consider.

Consultations

None

Implications

Financial

Several of the Act's provisions will have a financial implication on the Council and Members will be advised of

this at the relevant future time.

Comments checked by Karen Curtin, Head of Finance and Procurement

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Legal

Any relevant implications at this stage are identified in the Appendix

Comments checked by Kevin Lane, Head of Law and Governance

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Risk Management

Any risks arising from the implementation of the Act will be identified and registered as appropriate at the relevant future time.

Comments checked by Claire Taylor, Corporate Performance Manager

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Wards Affected

All

Corporate Plan Strategic Priorities

All

Executive Lead Member

**Councillor Barry Wood
Leader**

Document Information

Appendix No	Title
1	Localism Act 2011 – Briefing Note
Background Papers	
None	
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