

Bath & North East Somerset Council

MEETING:	Economic and Community Development Policy Development and Scrutiny Panel
MEETING DATE:	22 nd March 2012
TITLE:	Localism Act: Update
WARD:	ALL
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
APPENDIX: Plain English Guide to the Localism Act	

1 THE ISSUE

1.1 This report provides an update on the Localism Act and invites the Panel to consider how best to incorporate the provisions contained in the Act into its work programme.

2 RECOMMENDATION

The Economic and Community Development Policy Development and Scrutiny Panel is asked to agree that:

2.1 It notes the key provisions contained within the Localism Act as set out in the Appendix "Plain English Guide"

2.2 It receives a brief presentation on the key issues contained in the Act which impact on the Panel's remit

2.3 It considers how best to consider the implementation and impact of the Act's provisions into its programme of work

3 FINANCIAL IMPLICATIONS

3.1 There are none relating directly to this report. However, the Localism Act's provisions potentially have a wide range of financial implications for councils and others, depending on take-up and usage. For example, the Government has stated that it plans to introduce a "compensation scheme" under the Assets of Community Value provisions but as yet little detail of this has been made available.

4 THE REPORT

4.1 The Localism Act has now received Royal Assent. The Act is a complex one and covers a very wide range of topics which will have an impact on councils and communities. In brief, These include:

- A general power of competence for Local Authorities
- Changes to the standards regime
- The introduction of Neighbourhood Planning
- The introduction of a new “Community Right to Challenge”
- The introduction of a duty on councils to maintain a list of “assets of community value”
- Provision for the Secretary of State to make an order for the transfer of a local public function to a permitted authority.
- Changes to the Community Infrastructure Levy
- Greater freedom for councils to offer business rate discounts
- Changes to the regulation of social housing

4.2 These are clearly detailed and wide-ranging provisions and relate to the remits of a number of PDS Panels. This Panel received a report on the “community right to buy” in October 2011. Many of them (including the Community Right to Buy and also the register of “assets of community value”, as the community right to Buy has been renamed”) are awaiting final guidance and regulations from Government before they “go live”. However, preparations for implementing the Act are underway within the Council and two successful member briefing sessions on the Act were held in January.

4.3 There is now potential for the Panel to develop its approach to the implementation of the Act, particularly for the key areas within its remit. In addition, there is also an opportunity for the Panel to examine the wider impact of the Act on the localism agenda. To enable this discussion a “Plain English” summary of the Act is attached as an Appendix to the report and it is proposed that a short presentation of key issues affecting the remit of the Panel be made.

5 RISK MANAGEMENT

5.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

6 EQUALITIES

6.1 An Equalities Impact Assessment has not been carried out on this report. Specific aspects of the Localism Bill were themselves subject to a national Equalities Impact Assessment by CLG as well as a summary impact assessment for the Bill as a whole. Individual policies and provisions relating to the implementation of the Act will be subject to EIAs as they are developed and reported.

7 CONSULTATION

7.1 Section 151 Finance Officer; Monitoring Officer,

7.2 The report was circulated in advance. In addition, a number of bodies including Parishes Liaison have been engaged with on specific provisions of the Act, particularly Neighbourhood Planning and the new Community Rights.

8 ISSUES TO CONSIDER IN REACHING THE DECISION

8.1 *Social Inclusion; Customer Focus; Sustainability; Human Resources; Property;; Human Rights; Other Legal Considerations*

9 ADVICE SOUGHT

9.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	David Trethewey, 01225 396353 David_trethewey@bathnes.gov.uk
Background papers	Community Assets , report to ECD PDS Panel, October 2011
Please contact the report author if you need to access this report in an alternative format	