

Community Network for Manchester Briefing on the Coalition Government's Localism Bill

“For too long, central government has hoarded and concentrated power. Trying to improve people’s lives by imposing decisions, setting targets, and demanding inspections from Whitehall simply doesn’t work....It leaves no room for adaptation to reflect local circumstances or innovation to deliver services more effectively and at lower cost.” **Greg Clark MP, Minister of State for Decentralisation**

This briefing seeks to outline the proposals in the Bill, serve as a guide to further reading and help facilitate a debate locally about the potential opportunities and challenges.

The Government published its Localism Bill on 13th December 2010, which is making its way through the parliamentary process towards becoming law.

The Localism Bill reflects the growing view that local communities know best and can inspire innovative solutions to the problems they face. The Government’s proposals seek to devolve power and give local organisations, communities and authorities the tools they need to implement these solutions. It is also envisaged that the new powers will help build upon the ‘Big Society’ Agenda, as central Government takes a back seat so that civil society can grow into this new space.

Main Proposals

New freedoms and flexibility for local government:

- New **‘general power of competence’** for local authorities, allowing them to do anything that an individual can do, as long as it is not banned under other laws.
- Abolition of the Standards Board and more freedom for councillors to campaign and represent the views of their communities.
- More opportunities for **directly elected mayors** by the creation of ‘shadow mayors’ until 2012.
- More powers over housing and regeneration for the London Mayor.

New rights and powers for communities:

- Community **right to challenge**: the right to express an interest in taking over a local service, with an obligation by the local authority to consider the request and respond. The term ‘community’ will include ‘causal’ (for example, disabled people’s groups) as well as ‘geographical’ communities.
- Community **right to bid**, so that communities will have an opportunity to bid for local assets, such as pubs, shops or community buildings.
- **Local referendums** will allow communities to express a public view on issues important to them and the local authority will be required to consider these when making its decisions.
- Right to veto **‘excessive Council tax rises’** by local referendum, where a ceiling is decided by ministers. Rises above this level could be subject to local approval.

Reform of the planning system:

- **Abolition of regional strategies**, including housing and development targets.
- **Neighbourhood development plans**, so communities can have a say over where new houses, businesses and shops should go.
- **Community right to build**, enabling small scale development with the benefits being retained by that community.
- **Requirement to consult communities** on large scale development, so that communities have influence at an appropriate point in the process.
- **Strengthening of enforcement rules.**
- **Reform of the community infrastructure levy** to make it more flexible, giving local authorities more powers to set the levy and maintain, not just build, new infrastructure.
- **Planning inspectors' discretion to influence local plans to be limited.**
- **Duty to cooperate between authorities** on planning issues to benefit all of their citizens.
- Nationally significant decisions, such as airports or power stations are to be taken by Government ministers and **Infrastructure Planning Commission abolished.**

Reform of Housing decisions:

- **Social Housing tenure reform**, so that social landlords can provide housing with tenancies of flexible duration.
- **Social Housing allocations reform**, so that local authorities can decide priorities.
- **Reform of Homelessness legislation**, allowing local authorities to use privately rented accommodation as an alternative to social housing.
- **Reform of council housing finance** so that local authorities can keep rent monies locally and spend them on repair and renewal of stock.
- **National Homeswap scheme**, helping people living in social housing move more easily.
- Reform of the Housing legislation will ensure **greater tenant scrutiny and a single body for complaints** (Independent Housing Ombudsman).

Reaction and views on the Bill

Urban Forum welcomed the new community rights to build, buy and challenge:

“If the Bill achieves its aims, and our vision, then examples of communities taking control of assets, services and local development will become the norm not the exception.”

But like **Real Power for Communities** they wanted to make sure power went direct to communities and was not held up in local authorities.

There is also concern that opportunities may be created, but not shared fairly:

“The Bill must aim to reduce inequality. Therefore we are campaigning to make sure disadvantaged communities can have real access to these powers - not just the already powerful and affluent.” (**Real Power for Communities.**)

There is widespread concern that communities may get more say over spending but that in an era of austerity this will mean 'decentralising the cuts', not improvements and benefit. There are fears that this could lead to large national providers with economies of scale pushing out smaller, community-based groups.

A report by **Deloitte** suggested: "what the government means by the Big Society and Localism has, to some extent, lacked clarity. This has had consequences: people don't understand it so they ignore it or they interpret it in a way that suits them." It suggests local authorities need to map areas of potential for localism, build a bank of successful partners locally and start to implement the approaches in test areas.

Friends of the Earth's planning campaigner Naomi Luhde-Thompson said: "We are concerned that local people will be railroaded by planning decisions under this new law - and that it won't protect them from the worst effects of climate change."

A further question asks: how would the Government intervene if there was 'too much' local variety, with poorer quality services in some areas and a 'postcode lottery' for service provision?

Suggested actions / follow-up

The government are seeking views on their decentralisation agenda and comments and responses can go to: decentralisation@communities.gsi.gov.uk

The Bill is now at Public Committee stage and the public can put views forward for consideration: <mailto:scrutiny@parliament.uk>

Community Network for Manchester will be seeking local views about the Bill and will publish the results to help spark a debate about the opportunities for local groups. Please send any ideas or feedback to stuart@cn4m.net.

Further Information

A Plain English Guide to the Localism Bill: [A plain English guide to the Localism Bill - Local government - Department for Communities and Local Government](#)

Decentralisation and the Localism Bill: an essential guide: [Decentralisation and the Localism Bill: an essential guide - Local government - Department for Communities and Local Government](#) The Government's case for decentralisation and principles for change.

Updates on consultations connected to powers within the Bill: [What's new - Corporate - Department for Communities and Local Government](#)

Information about the drivers for change in our sector and how the Localism Bill fits in with all the other changes by National Council for Voluntary Organisation: [Localism agenda - Third Sector Foresight](#)

Urban Forum's Policy Briefing and commentary: [Decentralisation and the Localism Bill Reaction to the Localism Bill](#)

Real Power for Communities campaign (including NAVCA, bassac and Community Matters) - [Real power for communities](#)

A Little Local Difficulty: [A little local difficulty | Government & Public Sector | Deloitte UK](#)

IPPR Briefing on how localism may affect minorities: [ippr - Institute for Public Policy Research](#)

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