

SEEC DRAFT BRIEFING RE LOCALISM BILL – JUNE 2011

1. The needs and aspirations of local communities are at the heart of local government's work. South East England Councils supports the principle of devolving responsibility and delivery to the most local level practicable. **We believe local communities are best served when accountable, elected local government is entrusted with powers, freedoms and flexibility to respond to their needs effectively and efficiently.**
2. **We are very concerned that many aspects of the Localism Bill run counter to these principles and strongly urge a fundamental reconsideration of it, for the benefit of all in our communities.** Despite extensive lobbying and evidence from local government during the Commons stages, we are disappointed to see our main concerns have not been addressed.
- 3 **SEEC members support the principle of localism but feel the current Bill is unnecessary and will hinder existing good practice by introducing:**
 - **Too much central control by Ministers**, undermining local decisions and stifling local innovation, flexibility and efficiency.
 - A potential **erosion of local representative democracy** in favour of giving power to unelected local communities.
 - **Increased bureaucracy, administrative burden and costs.**
 - **Impractical neighbourhood planning proposals** that will not support growth.
- 4 **More specifically our primary concerns are:**
 - i. **Much of the Bill is unnecessary, unhelpful and unworkable**
 - The same results could be achieved more cheaply without legislation by adapting current systems and existing good practice – and without the need for centrally-imposed bureaucracy and regulation.
 - ii. **The Bill does not sufficiently reduce central control**
 - The 142 powers reserved for the Secretary of State need to be reduced to deliver genuine localism. Current plans undermine local decisions – eg Ministers' powers to decide what constitutes an 'excessive' council tax rise and what is a 'local matter' for referendums.
 - iii. **The Bill does not support the role of councillors as elected representatives**
 - Measures such as local referendums and neighbourhood planning sideline the role of councillors in favour of unelected community representatives, undermining local democracy and accountability.
 - iv. **Local referendum plans are unnecessary and costly**
 - Referendums are costly, non-binding and can be called by a very small number of people who may use them to slow the process of important actions to support wider community needs. Good community involvement is already being achieved at lower cost through effective consultation and engagement.

- The electorate rightly demonstrates the acceptability of council tax and council performance through the ballot box at local election time. The Bill's proposals for Council Tax referendums will be costly and bureaucratic and are not necessary. Furthermore it is inappropriate for the Secretary of State to set the cap – this is an infringement of the principles of localism.

v. The Bill will increase, not reduce, bureaucracy for local government

- Rules on maintaining lists of assets of community value, community right to challenge procurement and neighbourhood planning all increase burdens.

vi. Neighbourhood planning & New Homes Bonus will not support growth

- Local authorities already engage with communities to jointly shape the future of local areas, with effective, efficient and inclusive approaches such as parish plans being well established. Neighbourhood Plan proposals in the Bill will add complexity, costs for supporting local groups, and bring tension about growth levels between communities. Variability in the quality and capacity of community groups will give an uneven approach. It is cheaper and simpler to adapt the current LDF and parish plan systems.
- New Homes Bonus payments are too small to encourage communities to support growth or to fund sufficient infrastructure for new homes.

vii. Passing on European Fines to local government is wrong

- Allowing Ministers to force councils to pay parts of fines imposed on the government by the EU would be unfair and unconstitutional, as councils may have no responsibility for fines levied. This is unworkable and will lead to long, costly legal battles to decide who is liable.

5 We are **supportive of specific aspects** of the Bill, but recommend that these be achieved without recourse to the unnecessarily prescriptive and detailed legislative framework in this Bill:

- The principle of localism, but introduced in a simpler, less bureaucratic way.
- A general power of competence for local authorities.
- The ability to grant business rate discounts.
- Abolition of standards boards.
- Abolition of regional planning and top down housing targets.
- Involving communities in planning but without the complexity and conflict that will be created by neighbourhood planning.

6 **In conclusion**, we support the principle of localism delivered through local government working effectively with local communities. **The extensive bureaucracy, central control and bypassing of democratically elected local accountability proposed in the Bill would be entirely counter to this and must be addressed.**

**South East England Councils
June 2011**

South East England Councils (SEEC) promotes the views and interests of all tiers of local government across the South East, who together represent more than eight million residents. SEEC is a voluntary body, funded by member council subscriptions, and carries a unique mandate as the single democratic voice of the South East.

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