



Local Government (England) Bill

A

Bill

TO

Reform and restructure Local Governance within England, streamline and simplify local government structures, devolve further powers from central government in westminster to local government, and to improve the democratic accountability of governance

BE IT ENACTED by The Queen's most Excellent Majesty, by and with the advice and consent of the Commons in this present Parliament assembled, in accordance with the provisions of the Parliament Acts 1911 and 1949, and by the authority of the same, as follows:—

Part I

PRELIMINARY

Section 1: Repeals

1. The Regional Authorities in England shall be abolished in their existing forms, and restructured as set out in this act
2. The England Regional Assemblies Act 2015 will be repealed in its entirety.
3. The Principal Authorities in England Shall be abolished in their existing forms, and restructured as set out in this act. The main principle authorities that will be affected by these reforms are:
 - i. unitary authorities

- ii. Non-metropolitan counties
 - iii. Metropolitan counties
 - iv. Non-metropolitan districts
 - v. Metropolitan boroughs
 - vi. London boroughs
4. The Greater London Authority, including both the Assembly and the Mayor of London shall be standardised in line with this act, although none of its existing structures will be abolished.
 5. Sections 1-122 Police Reform and Social Responsibility Act 2011 (Police and Crime Commissioners) will be repealed in their entirety.

Part II

Boundaries

Section 1: Boundaries

1. The boundaries set out in this Act shall be the preliminary boundaries set for the new structures of Local Governance, and shall be used to transfer powers and responsibilities from previous local government structures, to new ones
2. As part of the implementation of this act, the Local Government Boundary Commission for England shall undergo a review of the boundaries set out in this act, and may make amendments as required, in consultation with the Department of Communities and Local Government, Local Government Structures and the Electorate.
3. The preliminary boundaries for the new Local Government Structures are as follows:

Region	Authority	Council
East of England	Essex Authority	Thurrock, Southend-on-Sea, Harlow, Epping Forest, Brentwood, Basildon, Castle Point, Rochford, Maldon, Chelmsford, Uttlesford, Braintree, Colchester, Tendring
	Hertfordshire Authority	Three Rivers, Watford, Hertsmere, Welwyn Hatfield, Broxbourne, East Hertfordshire, Stevenage, North Hertfordshire, St Albans, Dacorum
	Bedford Authority	Luton, Bedford, Central Bedfordshire
	Cambridgeshire Authority	Peterborough, Cambridge, South Cambridgeshire, Huntingdonshire, Fenland, East Cambridgeshire
	Norfolk Authority	Norwich, South Norfolk, Great Yarmouth, Broadland, North Norfolk, King's Lynn and West Norfolk, Breckland

	Suffolk Authority	Ipswich, Suffolk Coastal, Waveney, Mid Suffolk, Babergh, St. Edmundsbury, Forest Heath
East Midlands	Derbyshire Authority	Derby, High Peak, Derbyshire Dales, South Derbyshire, Erewash, Amber Valley, North East Derbyshire, Chesterfield, Bolsover
	Nottinghamshire Authority	Nottingham, Rushcliffe, Broxtowe, Ashfield, Gedling, Newark and Sherwood, Mansfield, Bassetlaw
	Lincolnshire Authority	Lincoln, North Kesteven, South Kesteven, South Holland, Boston, East Lindsey, West Lindsey
	Leicestershire Authority	Leicester, Charnwood, Melton, Harborough, Oadby and Wigston, Blaby, Hinckley and Bosworth, North West Leicestershire
	Rutland Authority	Rutland
	Northamptonshire Authority	South Northamptonshire, Northampton, Daventry, Wellingborough, Kettering Corby, East Northamptonshire
London	Greater London Authority	City of London, City of Westminster, Kensington and Chelsea, Hammersmith and Fulham, Wandsworth, Lambeth, Southwark, Tower Hamlets, Hackney, Islington, Camden, Brent, Ealing, Hounslow, Richmond upon Thames, Kingston upon Thames, Merton, Sutton, Croydon, Bromley, Lewisham, Greenwich, Bexley, Havering, Barking and Dagenham, Redbridge, Newham, Waltham Forest, Haringey, Enfield, Barnet, Harrow, Hillingdon
North East England	Northeast Authority	Durham, Easington, Sedgefield, Teesdale, Wear Valley, Derwentside, Chester-le-Street, Gateshead, Newcastle, North Tyneside, Blyth Valley, Wansbeck, Castle Morpeth, Tynedale, Alnwick, Berwick-upon-Tweed, South Tyneside, Sunderland
	Tees Valley Authority	Middlesbrough, Hartlepool, Redcar and Cleveland, Stockton and Darlington
North West England	Cheshire Authority	Cheshire East, Cheshire West and Chester, Halton, Warrington
	Cumbria Authority	Barrow-in-Furness, South Lakeland, Copeland, Allerdale, Eden, Carlisle
	Greater Manchester Authority	Bolton, Bury, Oldham, Manchester, Rochdale, Salford, Stockport, Tameside, Trafford, Wigan
	Lancashire Authority	West Lancashire, Chorley, South Ribble, Fylde, Preston, Wyre, Lancaster, Ribble Valley, Pendle, Burnley, Rossendale, Hyndburn, Blackpool, Blackburn with Darwen
	Merseyside Authority	Knowsley, Liverpool, Sefton, St Helens, Wirral
South East England	Berkshire Authority	West Berkshire, Reading, Wokingham, Bracknell Forest, Windsor and Maidenhead, Slough

	Buckinghamshire Authority	South Bucks, Chiltern, Wycombe, Aylesbury Vale, Milton Keynes
	East Sussex Authority	Hastings, Rother, Wealden, Eastbourne, Lewes, Brighton & Hove
	Hampshire Authority	Southampton, Portsmouth, Fareham, Gosport, Winchester, Havant, East Hampshire, Hart, Rushmoor, Basingstoke and Deane, Test Valley, Eastleigh, New Forest
	Isle of Wight Authority	Medina and South Wight
	Kent Authority	Dartford, Gravesham, Sevenoaks, Tonbridge and Malling, Tunbridge Wells, Maidstone, Swale, Ashford, Shepway, Canterbury, Dover, Thanet, Medway
	Oxfordshire Authority	Oxford, Cherwell, South Oxfordshire, Vale of White Horse, West Oxfordshire
	Surrey Authority	Spelthorne, Runnymede, Surrey Heath, Woking, Elmbridge, Guildford, Waverley, Mole Valley, Epsom and Ewell, Reigate and Banstead, Tandridge
	West Sussex Authority	Worthing, Arun, Chichester, Horsham, Crawley, Mid Sussex, Adur
South West England	Somerset Authority	Bath and North East Somerset, North Somerset, South Somerset, Taunton Deane, West Somerset, Sedgemoor, Mendip
	Bristol Authority	Bristol
	Gloucestershire Authority	South Gloucestershire, Gloucester, Tewkesbury, Cheltenham, Cotswold, Stroud, Forest of Dean
	Wiltshire Authority	Swindon, Kennet, North Wiltshire, Salisbury, and West Wiltshire
	Dorset Authority	Weymouth and Portland, West Dorset, North Dorset, Purbeck, East Dorset, Christchurch, Poole, Bournemouth
	Devon Authority	Exeter, East Devon, Mid Devon, North Devon, Torridge, West Devon, South Hams, Teignbridge, Torbay, Plymouth
	Cornwall Authority	Penwith, Kerrier, Carrick, Restormel, Caradon, North Cornwall, Isles of Scilly sui generis
West Midlands	Herefordshire Authority	South Herefordshire, Hereford, Leominster, Malvern Hills West
	Shropshire Authority	Bridgnorth, North Shropshire, Oswestry, Shrewsbury and Atcham, South Shropshire, Telford and Wrekin
	Staffordshire Authority	Cannock Chase, East Staffordshire, Lichfield, Newcastle-under-Lyme, South Staffordshire, Stafford, Staffordshire Moorlands, Tamworth, Stoke-on-Trent

	Warwickshire Authority	North Warwickshire, Nuneaton and Bedworth, Rugby, Stratford-on-Avon, Warwick
	West Midlands Authority	Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall, Wolverhampton
	Worcestershire Authority	Bromsgrove, Malvern Hills East, Redditch, Worcester, Wychavon, Wyre Forest
Yorkshire and the Humber	South Yorkshire Authority	Barnsley, Doncaster, Rotherham, Sheffield
	West Yorkshire Authority	Bradford, Calderdale, Kirklees, Leeds, Wakefield
	North Yorkshire Authority	Selby, Harrogate, Craven, Richmondshire, Hambleton, Ryedale, Scarborough, York
	East Riding of Yorkshire	East Yorkshire, Holderness, Beverley, Boothferry North , Kingston upon Hull
	North Lincolnshire Authority	Scunthorpe, Glanford, Cleethorpes, Boothferry South, Grimsby

Part III

Authorities

Section 1: Authorities

1. For each of the Authority boundaries set out in Section of this act, there shall be an authority that will have the powers and functions as specified in this Section of this Act
2. These authorities may take on responsibilities, structures and powers held by existing Local Government structures, in these cases the Department of Communities and Local Government shall be the facilitator to ensure that there is a smooth transition between any existing structures and the new authorities
3. In cases where the Authorities are taking on responsibilities from Central Government, the Department of Communities and Local Government shall be the facilitator to ensure that there is a smooth transition of power.
4. The Authorities shall be comprised of a directly elected Assembly and a directly elected Mayor
5. The Authorities will function and in the same way, and the internal structures and format will be based on that of the Greater London Authority, following the same practices and conventions

Section 2: Elections

1. The Elections for Authorities and Mayors shall happen every 4 years

2. The first election for Authorities, including the Assemblies and Directly Elected Mayor shall happen on the 5th May 2016

Section 3: The Assemblies

1. The members of the Assemblies shall be referred to as English Assembly Members, and shall have the post-nominal title “EAM”
 - a. EAM’s shall be paid a salary, the exact amount of which shall be set out by the Department of Communities and Local Government
2. The Assemblies shall be made up of constituency and assembly wise part-list EAMs
3. The constituencies shall be based off the Boundaries set out in Part 2 of this Bill, subject to the review by the relevant Boundary Commission
 - a. The exact number of constituencies per Authority will be set out by the Electoral Commission in consultation with the Department of Communities and Local Government
4. The electoral system used to elect the Assemblies shall be the Additional Member System, with candidates standing in constituencies, and parties setting out party list candidates that will be selected using the modified D'Hondt method
 - a. Parties must receive at least 5% of the part list vote in order to win any seats
5. The locations of the physical assemblies will be set out by the Electoral Commission and Department of Communities and Local Government, and should be in a central high-population location within the authority
6. The Assemblies will function and in the same way, and the internal structures and format will be based on that of the Greater London Assembly, following the same practices and conventions

Section 4: The Mayor

1. Each authority will have a directly elected mayor, with the entire authority voting, using the supplementary vote method
2. The purpose of the mayor is to run the executive functions of the Authority, to propose policy and the Authorities budget, and make appointments to the strategic executive and other bodies
3. The Mayor will act as a single figurehead of the authorities, and work to bring investment and business growth into the authority
4. The Mayor and Mayor's office will function and in the same way, and the internal structure and format will be based on that of the Mayor of London and the Office of the Mayor of London, following the same practices and conventions

Section 5: Powers and Functions

- ~~1. The powers and functions of the Authorities shall be primarily the responsibility of the Mayor, who with the accompanying bodies will run services that are the responsibility of the authority and ensure that they are properly funded and maintained. The Assemblies will review and scrutinise the actions of the Mayor and ensure that he is undergoing his duties in a manner that the local population is satisfactory with.~~
2. The primary powers and functions of the Authorities are:
 - a. Strategic planning, including housing, waste management, the environment and production of spatial development strategies
 - b. Planning permission
 - c. Transport policy (see section 8)
 - d. Fire and emergency planning policy (see section 7)
 - e. Policing and crime policy (see section 6)
 - f. Economic development,
 - g. Power to create development corporations
 - h. Tourism
 - i. Health and Social Care Policy
 - i. This will be coordinated with the Department of Health and NHS England, but the decisions on health and social policy within the authority will ultimately be the responsibility of the Authority itself.
2. The primary role of the Assembly will be:
 - a. to scrutinise the activities of the Mayor
 - b. to investigate issues of importance to residence of the authority, and will publish its findings and recommendations,
 - c. make policy proposals to the Mayor
 - d. with a two-thirds majority, to
 - i. amend the Mayor's annual budget
 - ii. reject the Mayor's draft statutory strategies
 - iii. pass a policy proposal to the Major, which he must implement
3. The Secretary of State for Communities and Local Government may at any time devolve and designate further powers to Authorities
 - a. The Primary areas in which these extended powers are will be
 - i. Agriculture, Fisheries, Food, Forestry and Rural development
 - ii. Ancient monuments and historic buildings
 - iii. Local historic languages/dialects
 - iv. Culture
 - v. Water and Flood Defence
 - b. Further powers may also be devolved via a Bill passed by the house of commons

Section 6: Mayor's Office for Police and Crime

1. In each Authority, a Mayor's Office for Police and Crime shall be established
2. These will take on the responsibilities of the Police and Crime commissioners, overseeing the police and crime structures in their areas
3. Police Forces shall be established in each authority, and will replace existing Police Forces, reconfiguring the structures of previous ones.
 - a. They will retain the exact same responsibilities and structures from previous police forces, but will merely be a national restructuring to the new authorities
4. These will be based and modeled on the existing Greater London Authorities Mayor's Office for Police and Crime

Section 7: Fire and Emergency Planning Authority

1. In each Authority, a Fire and Emergency Planning Authority shall be established
2. These will take over responsibility for Fire and Emergency services in each authority from existing Fire and Rescue Services, which shall be abolished
3. These Authorities shall be based and modeled on the existing London Fire and Emergency Planning Authorities

Section 8: Transport

1. Authorities shall assume control over Transport Boards under the provisions of the Local Transport Act 2014.
2. Funding for road maintenance will be allocated to Transport Boards, excluding that for the core road network.
3. The SoS and the DfT will retain full discretion over the Transport Bodies in the areas set out in the Local Transport Act (2014).
4. The SoS in coordination with the mayor's executive will oversee the conduct and operation of Transport Boards.

Section 9: Local Government Association

1. The Local Government Association shall be reformed to include both Councils and Associations
 - a. It shall be the national body to represent Local Government to Central Government
 - b. It shall be used to coordinate policy and cooperation between Councils and Associations
2. Two or more councils within a Authority may cooperate on any areas within their preview
 - a. The Councils will still be responsibility for the provision of services within their boundaries
 - b. The parent authority shall oversee and coordinate all cooperation between authorities

- c. The LGA, DCLG and the SoS reserves the right to force any cooperation to end if it is believed that it is a serious detriment to services
- 3. Through the LGA any two or more authorities or councils will be able to cooperate on any issues that are within their purview. Collaborating to provide services or functions together collectively
 - a. The Authorities or Councils will still be responsibility for the provision of services within their boundaries
 - b. The LGA and DCLG shall oversee and coordinate all cooperation between authorities
 - c. The LGA, DCLG and the SoS reserves the right to force any cooperation to end if it is believed that it is a serious detriment to services
- 4. The LGA will coordinate policy between all authorities in the areas of Tourism and Water and Flood Defence

Part IV

Councils

Section 1: Councils

- 1. Within the Authorities set out in this act, using the boundaries set out in Section of this act, there shall be an Council that will have the powers and functions as specified in this Section of this Act
 - a. The new councils should, where applicable, correspond to existing principal authority council structures, under the existing local government structures
 - b. If the Electoral Commission and Department of Communities and Local Government believes that it is unnecessary for there to be both a Authority and a Council, then the Authority will take onboard the Council's powers and run as one single body
- 2. These councils may take on responsibilities, structures and powers held by existing Local Government structures, in these cases the Department of Communities and Local Government shall be the facilitator to ensure that there is a smooth transition between any existing structures and the new councils
- 3. The Authorities shall be comprised of a Councilors elected from Wards

Section 2: Elections

- 1. The Elections for the whole council shall happen on a Thursday in May two years into their Authority's term
 - a. The Secretary of State for Communities and Local Government shall set the exact day in May
- 2. The first election for Councils under the new system shall happen on the 3th May 2018

Section 3: The Council's

1. During the Review as specified in Part 2 Section 1 Subsection 2 of this act, the Electoral Commission shall split the Council areas into Wards
 - a. The council wards should, where applicable, correspond to existing council ward boundaries
2. Each ward shall be a multi-member ward consisting of at least three councillors
3. The electoral system used to elect the Assemblies shall be the Single Transferable Vote system
4. The Councils should, where appropriate use premises of existing council structures. If no premises can be found, then the Department of Communities and Local Government could give funds to establish such premises
5. The Councils will function and in the same way, and the internal structures and format will be based on that of existing Councils, following the same practices and conventions

Section 4: Powers and Functions

The powers and functions of the Councils will be the responsibility of the Council and its structures, in situations where there is a majority of one party or coalition, then the leader of that grouping will be the leader of the council.

1. The Primary Powers and Functions of the Authorities are:
 - a. Education
 - b. Housing
 - c. Planning applications
 - d. Strategic planning
 - e. Transport planning
 - f. Highways
 - g. Social services
 - h. Libraries, Leisure and Recreation
 - i. Waste collection
 - j. Waste disposal
 - k. Environmental health
 - l. Revenue collection
2. Councils may reject the opening of a new business within its boundaries if
 - a. there are a significant number of those existing business'
 - b. the council determines that the business' would be a serious detriment to the local community
 - c. Business' may appeal the decisions of the council to the parent authority, who shall have the power to override the council's decision

Part V

Civil Parishes

Section 1: Civil Parishes

1. For areas that are considered “Parishes”, a Civil Parish may be set up with the powers specified in this Act
 - a. In cases where parish councils already exist, they will continue unchanged
2. If 10% of local electors, based on the most recent electoral register, sign a petition, and give it to their local council, then a “community governance review” will be undertaken to see if a Civil Parish Council should be set up
3. If the Community Governance Review concludes that a Civil Parish Council is unnecessary, then the local population may appeal this decision if they produce a further petition with 30% of the local population signing, in which case a local referendum will take place
4. The structure of Civil Parish Councils will go unchanged from the existing structures
5. The primary powers and functions of Civil Parish Councils will be
 - a. allotments
 - b. public clocks
 - c. bus shelters
 - d. community centres
 - e. play areas and play equipment
 - f. grants to help local organisations
 - g. consultation on neighbourhood planning
6. They also have the power to issue fixed penalty fines for things like:
 - a. litter
 - b. graffiti
 - c. fly posting
 - d. dog offences

Part VI

Mayors

Section 1: Mayors

1. With the process of setting up and restructuring councils in England, the Department of Communities and Local Government shall undergo a review of council structures
2. The Department of Communities and Local Government will look into implementing Directly Elected Mayors, instead of Leader and Cabinet models in all new Councils
3. They should review if there is local support for a Directly Elected Mayor, and if so, hold a referendum, as set out in the Localism Act 2011
4. The elections of these majors will happen at the same time as the elections of the council they are the mayor of

Part VII

Sui Generis Exceptions

Section 1: Sui Generis Exceptions

1. In two situations, there are existing “Sui Generis” local government structures that will not be affected by the majority of the reforms in this act
2. The City of London Corporation will not be affected by this act, and will continue in its current form and with its existing powers and structure
 - a. It will, as it currently does, send a AM to the Greater London Assembly, a part of the Greater London Authority, and will continue its current relationship with the reformed GLA
3. The City of London Corporation will not be affected by this act, and will continue in its current form and with its existing powers and structure
 - a. It will, as it currently does, send a AM to the Greater London Assembly, a part of the Greater London Authority, and will continue its current relationship with the reformed GLA

Part VIII

LVT and Funding

Section 1: Land Value Tax and Funding

1. It will be the responsibility of Councils to collect LTV
2. Section 1 Part (e) of The Land Value Tax Act 2015 shall be amended

From:

“(e) Local authorities shall be responsible for collecting the LVT.”

To:

“(e) The Lowest tier of Local Government will be responsible for collecting LTV, referred to in this act as “Local Authorities”. This will be:

i. In England, Councils of each Council boundary

ii. In Scotland, Councils of each Council area of Scotland

iii. In Wales, Councils of each Principle area of Wales”

3. In Line with the Section 6 a)i) of the Land Value Tax Act 2015, the Department of Communities and Local Government and the Treasury, during their analysis and setting of LVT rates, they must account for both Authorities and Councils funding from LVT.
4. From the revenues of LTV, a proportion of the money must be allocated to Authorities,
 - a. the amounts that are given should be based on the same ways in which Council Tax revenues were allocated to the Greater London Authority
 - b. the Department of Communities and Local Government and Treasury should undergo a review, of what the best way for this allocation should be taken place, with the results being implemented with the phased implementation of LVT
5. If Councils wish to lowers their LVT rates, they must first go into consultation with their Authority, to assess overall funding levels
6. The Department for Communities and Local Government and The Treasury shall undergo a Local Government Funding review, that shall set out the necessary funding that new Local Government structures will require, accounting for the Land Value Tax receipts that Councils collect.

Part IX

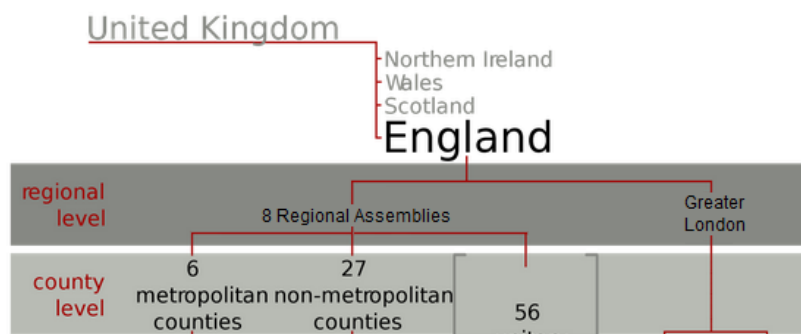
Commencement

Section 8: Commencement

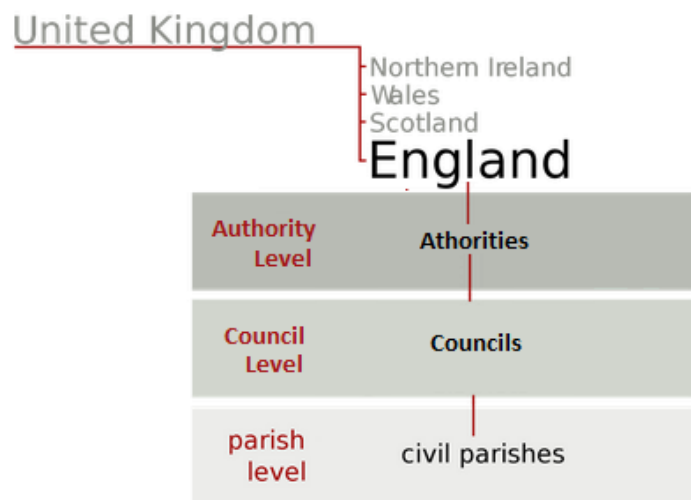
1. This bill extends to England
2. This bill comes into force immediately
3. This bill may be cited as the English Local Government Reform Act 2015

Appendix 1: Comparison of Structure of Local Government pre and post reform

Old Local Government Structure



New Local Government Structure



Appendix 2: Hierarchical list of existing Local Government Structures, to be compared with Section 3 part 3 of this act

http://en.wikipedia.org/wiki/Subdivisions_of_England#Hierarchical_list_of_regions.2C_counties_and_districts

Appendix 3: Acts mentioned in this Bill

1. http://www.reddit.com/r/MHOC/comments/2rnelo/b039_land_value_tax_bill_2015_3rd_reading
2. <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
3. http://www.reddit.com/r/MHOC/comments/2sysf3/b052_england_regional_assemblies_bill/

Appendix 4: Firstly Reading Opening Speech

This bill aims to streamline and reform local government in England, to simplify it and remove unnecessary layers of government and complexity, while devolving more powers down from Westminster closer to the people.

This bill abolishes the Regional Assemblies introduced in the last parliament, while previously they were a great step in devolving powers down from Westminster closer to the voters, with the introduction of this bill, they will be unnecessary, as the decisions will be taken even closer than the regions. This move also removes a whole previous layer of government, reducing the overall bureaucracy that exists.

The Main Premise of this bill, is streamlining previous Local Government Structures into two clear layers, 'Authorities' and 'Councils'. The former will fundamentally be based on the existing Greater London Authority, and will have elected mayors who will make decisions on areas such as Police, Fire and Emergency Services and Healthcare, and will give communities more control over the services and decisions that have most effect over their lives. Councils will be similar to existing Borough Councils or District Councils, and will run a number of local services, mostly based on the existing jobs of councils.

The new boundaries for authorities are in part based on historical counties and unitary authorities, with some exceptions and changes, and councils are either based on existing councils, or old council boundaries in the cases of some Unitary Authorities.

This bill will also improve democracy and accountability in Local Government, introducing Single Transferable Vote for the election of councilors, as well as continuing the GLA model, and having Additional Member System for the Assembly and Supplementary Vote Method for the Mayor. These methods will mean that more people are represented in their local communities, and the local government politicians will be held to account much better.

Appendix 5: Second Reading Opening Speech

Mr Speaker,

This bill continues to be a substantive and important set of changes and reforms to the way that local government works, to empower local communities into having more control over the things that matter to them, and having decision making made at the lowest possible levels,

The changes made between the last reading and this, are firstly changes to the way transport works, changing and rewording it to work better inline with current law, to create a far simpler transition to the new structure, while also taking into account the powers set out in previous law.

The Local Government Association will be used to as a platform for cooperation between Authorities, and also between councils, as in some cases it is both efficient and economical for councils to cooperate on issues within a area. Cooperation on other issues is also required to optimize policy nationally.

Finally, local councils are granted extended powers to be able to, within reason, block the opening of new business' within a area, this gives local councils and communities the power over the business' that open in their area, and cal combat the growing presence of large numbers of betting shops, and the spreading of charity shops in village high streets.

All in all this bill empowers communities, and i gives local people more of a say in their local communities, and i hope it has support from across the house.