



## Localism Bill

Published Dec 2010, enactment  
expected Nov 2011

Headlines based on what we  
know today.

# Points of interest to parishes

- General Power of Competence
- Abolition of the Standards Board
- Community right to challenge \*
- Community right to buy \*
- Local referendums
- Right to veto excessive council tax rises
- Neighbourhood planning
- Community right to build
- \*subject of consultation paper published 11/2/11

# Abolition of Standards Board

- Standards for England [ formerly SBE ] will be abolished
- Nolan principles & standards in public life will still exist
- Policing and enforcement of Code of Conduct will rest with District Council if it chooses to do so. If not it will be down to individual parishes or groups of parishes to manage.
- New criminal offence will exist relating to allegations of serious transgression by a councillor

# Neighbourhood Planning

- Neighbourhood Plans will be statutory
- Community Led Plans – eg Village Action Plans are non-statutory
- NPs provide an opportunity for CLPs to formally link to statutory spatial planning
- Think of NPs as mini local plans operating at parish and neighbourhood level – potentially very labour intensive for the local planning authority.

# How is the N.P. prepared ?

- Instigated by parish council or neighbourhood forum
- Plan prepared by local community - DC must provide support & advice
- Extensive community engagement / consultation
- Considered by independent examiner – looks at fit with DC's local development plan, national policy & alignment with neighbouring plans leading to non binding report
- Proceed to referendum, simple majority in favour leads to adoption by local planning authority [ DC ]

# Community Right to Build

- Not just about housing – about meeting a range of infrastructure needs identified within the community for which Community Led Planning is ideally suited.
- Potentially divisive within communities unless handled in a realistic manner.
- Will require a clear majority of those voting in a referendum [ parish poll ]

# Right to veto excessive Council Tax increases

- At town and parish level there are 8,500 councils in England.
- 70 of these have budgets greater than £1m
- 200 have budgets greater than £200k
- NALC's discussions with Govt. indicate that this will not affect those with budgets less than £750k, although as it stands the Bill includes all precepting bodies.

# General Power of Competence

- Provides ability for a local authority to act in the best interests of the community without specific legislation.
- No action, save tax raising will be outside the scope, unless the action is specifically prohibited by law.
- It turns the principle of Ultra Vires on its head.

# Community Right to Challenge

- Community & voluntary groups, parish / town councils and employees will have the power to challenge and take over a local service.
- Principal authorities must respond to the challenge and consider the positive impact this could have on the community.
- If proposal turned down, principal auth must publish reasons.

# Community Right to Buy

- Local groups will have the legal right to nominate 'community assets' including shops, pubs, libraries & leisure centres to be recorded on the District Councils list.
- If a listed asset goes on the open market its sale will be delayed to give that community the opportunity to prepare its business plan, secure funding and bid.
- Such assets should be identified & flagged up in any VAP review.