

Health and Social Care Bill 2011

The Bill proposes to create an independent NHS Board, promote patient choice, and to reduce NHS administration costs.

Key areas

- Establishes an independent NHS Board to allocate resources and provide commissioning guidance.
- Increases GPs' powers to commission services on behalf of their patients.
- Strengthens the role of the Care Quality Commission.
- Develops Monitor, the body that currently regulates NHS foundation trusts, into an economic regulator to oversee aspects of access and competition in the NHS.
- Cuts the number of health bodies to help meet the Government's commitment to cut NHS administration costs by a third, including abolishing Primary Care Trusts and Strategic Health Authorities.

Potential Impact on the Council

- Abolition of the PCTs and SHAs offers potential for Councils to develop additional areas of working.
- Partnership working will be potentially affected, including the development of key relationships with Clinical Commissioning Boards.

Localism Bill

The Bill will devolve greater powers to councils and neighbourhoods and give local communities more control over housing and planning decisions.

Key areas

The provisions relating to councils include:

- Giving councils a general power of competence.
- Allowing councils to choose to return to the committee system of governance and allowing for referendums for elected mayors in certain authorities.
- Abolishing the Standards Board regime and the model code of conduct, and introducing local accountability and a criminal offence of deliberate failure to declare a personal interest in a matter.
- Giving residents the power to instigate local referendums on any local issue and the power to veto excessive council tax increases
- Allowing councils more discretion over business rate relief.
- Providing new powers for local communities around, for example, the right to challenge local authorities over their services.

The housing provisions will:

- Allow local authorities to discharge their duties to homeless people by using private rented accommodation

APPENDIX B

- Give local authorities the power to limit who can apply for social housing within their areas.
- Abolish the Tenant Services Authority and provides for a transfer of functions to the Homes and Communities Agency.
- Amend the way in which a social tenant can make a complaint about their landlord.
- Improve the ability of social tenants to move to different areas.

The planning and regeneration provisions will:

- Abolish Regional Spatial Strategies.
- Abolish the Infrastructure Planning Commission and return to a position where the Secretary of State takes the final decision on major infrastructure proposals of national importance.
- Amend the Community Infrastructure Levy (CIL), which allows councils to charge developers to pay for infrastructure. Some of the revenue will be available for the local community.
- Provide for neighbourhood plans, which would be approved if they received 50% of the votes cast in a referendum.
- Provide for neighbourhood development orders to allow communities to approve development without requiring normal planning consent.

Potential Impact on the Council

- The wide range of provisions in the Bill will – if enacted – have a variety of different impacts on the Council, its partners and local communities.
- In terms of planning, for example, the provisions set out will potentially have a significant impact on the planning applications process.
- The amendments to the CIL could result in further revenue for the local community.
- Housing changes proposed may result in local councils having a greater say over social housing.
- A range of new powers for communities could potentially allow them to challenge local authorities in terms of how services are delivered.

Police Reform and Social Responsibility Bill

The Bill covers five distinct policy areas: police accountability and governance; alcohol licensing; the regulation of protests around Parliament Square; misuse of drugs; and the issue of arrest warrants in respect of private prosecutions for universal jurisdiction offences.

Key areas

- Replaces police authorities with directly elected Police and Crime Commissioners, with the aim of improving police accountability.
- Amends and supplements the Licensing Act 2003 with the intention of 'rebalancing' it in favour of local authorities, the police and local communities.

- Enables the Home Secretary to temporarily ban drugs for up to a year, and removes the statutory requirement for the Advisory Council on the Misuse of Drugs to include members with experience in specified activities.

Potential Impact on the Council

- Police and Crime Commissioners – will have responsibility for Staffordshire and Stoke-on-Trent for four years (although nothing is confirmed at present).
- The Commissioners are likely to receive ownership over a number of funding streams and this could impact on where money goes in community safety terms.

Motor Insurance Regulation Bill 2011

The Bill has been drafted with proposals to reform the regulation and operation of the market in motor insurance, and specifically, to ban the payment of referral fees; to establish new standards relating to the evidence required and damages payable for whiplash; to reform the Pre-Action Protocol for Personal Injury Claims in Road Traffic Accidents; to set requirements in respect of risk pricing for personal injury claims; and for connected purposes.

Key Areas

- To make it a criminal offence to solicit, offer or pay for any personal injury claim arising from a road traffic accident (RTA).
- To require 'clear objective' evidence to establish a claim in connection with whiplash.
- To reduce fixed fees for injury claims under the current pre action protocol for low value injury claims arising from RTAs to £600 (half its current value).
- To prohibit insurers from isolating risk on the basis of a geographic area smaller than a region.

Potential Impact on the Council

- Costs may be reduced on litigation - low value claims would be dealt with more quickly and cheaply.
- Whiplash injuries are on the increase now from RTAs and it is rarely clear whether the injury occurred prior to this accident or not.
- The council does not pay an excess amount for personal injury in a motor claim, but the costs are taken into account against each claim, so the increase in insurance premiums could reflect the increase in claims.
- Fraudulent claims could increase and this may drive the costs up.