



All I want for Christmas is a Localism Bill

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Having led the Sunday newspapers up over the top on two separate weekends now with briefings on the Localism Bill's contents, the news today that the publication of the Department for Communities & Local Government's (DCLG) flagship bill [has been postponed yet again](#) risks the whole enterprise becoming something of a joke.

The bill, which with around 200 clauses is expected to lay out a number of the government's key reforms to local government, housing and planning, was initially expected to be published in late November.

But as LGC revealed last month, it was then [delayed two weeks after cross-departmental wrangling](#) over proposals to hand more powers to directly elected mayors.

Then last week [Number 10 said the bill would be published on 9 December](#), with last weekend's Sunday newspapers briefed on its contents. Now however it has been delayed again, with DCLG unable to give a new date.

Behind this appearance of mismanagement there are, I'm reliably informed, very good reasons for the delay - and they are not all the fault of DCLG ministers and nor are they down to the snow and ice.

Congestion

The official line, of course, is parliamentary congestion, with the House of Commons schedule currently crammed with other bills. LGC understands that the Sir George Young, leader of the House of Commons, had initially proposed that the bill be introduced in the House of Lords, to parcel out the parliamentary work load (ie- if some bills don't start out in "the other place", the Lords won't have anything to do).

However, cabinet minister Oliver Letwin and chief secretary to the Treasury Danny Alexander – who act as the “guardians” of the coalition agreement – opposed this, arguing that the bill was too central to the coalition's agenda to be introduced in the Lords.

Hence the move to introduce it into the Commons instead, which has now led to the struggle to fit it into the pre-Christmas parliamentary congestion.

Cloak of secrecy

There has also, I'm told, been an issue with a lack of cross-Whitehall consultation, with one Whitehall source saying that DCLG ministers had thrown "an unnecessary cloak of secrecy around the bill".

This has led to problems when aspects of the bill – which is around 200 clauses and touches on a wide range of government policy – clash with the policy of other Whitehall fiefdoms.

These include, [as LGC reported last week](#), issues with the proposed general power of competence, which Treasury is keen to ensure cannot be used to enable councils to borrow more through financial tools such as securitisation.

LGC understands DCLG has now had to add a reserve power for the secretary of state to specify, in secondary legislation, certain functions that councils would not be able to use the general power of competence for – heavily circumscribing the power which ministers have hailed as the key to unlocking bureaucratic chains that constrain councils.

There are also a "number" of issues yet to be resolved with the plans to beef up the powers of the Local Government Ombudsman, LGC has been told. The government plans to hand more powers to the ombudsman so councils are required to act on its findings.

Disputes over mayors

But perhaps key policy issue is with the proposals to devolve more powers to directly elected mayors. As [LGC revealed last month](#), this was a key cause of the initial delay in publishing the bill, with the Department for Work & Pensions objecting to Eric Pickles plans to hand powers over welfare budgets to directly elected mayors, which clash with work secretary Iain Duncan Smith's move to centralise welfare.

But there are also issues, I'm told, with mooted powers - or at least influence - mayors might have over NHS budgets across their area, which clash with health secretary Andrew Lansley's plans for GP consortia.

LGC understands the policy on mayors was up for discussion at the cabinet this week, but it is unclear whether a resolution was reached.

DCLG will not now give us a date for the publication of the bill, but the rumours are that it will be next Tuesday or Wednesday, following the local government settlement, which is pencilled in for Monday 13th December (and more on that tomorrow). So a Localism Bill for Christmas - and more importantly, a local government settlement. But as they say, watch this space.