



Japan Local Government Centre, London

Monthly Report for April 2010 (UK) – Wash-up

Background

On April 6 2010 the Prime Minister Gordon Brown announced that he had asked the Queen for permission to call the General Election for May 6. Following the calling of an election, the remaining business of Parliament is tackled in a process known as “wash-up”, where outstanding Bills are discussed and agreed by consensus over a period of days. As the process relies on cooperation between Government and Opposition, some aspects of the government’s Legislative Programme are either required to progress in reduced form or are dropped altogether.

There were 13 government Bills announced in the 2009 Queen’s Speech at the State Opening of Parliament in November 2009. Parliament considered 18 Bills during wash-up and 20 became law (two had already passed their parliamentary stages and were waiting Royal Assent). During the 2009/10 parliamentary session, 30 Bills were passed and became Acts of Parliament. On April 8 both Houses of Parliament were prorogued (suspended, all Bills agreed then receive Royal Assent) and on April 12 parliament was dissolved ahead of the May 6 General Election. The new Parliament will be opened by the Queen on May 24.

Acts passed relating to local government

Children, Schools and Families Act

The Act provides for greater inspection of schools by Ofsted in relation to provision of education for children with special educational needs, especially in relation to disabled children and the duties imposed by the new Equality Act. It also gives additional power to Local Safeguarding Children Boards to request information from other public bodies and provides a commitment to review the publication of information relating to family proceedings that report to Parliament.

Constitutional Reform and Governance Act

The Act places the civil service on a statutory footing for the first time and establishes the Civil Service Commission as a corporate body. It also creates a statutory process for parliamentary scrutiny of treaties; allows the Independent Parliamentary Standards Authority to implement the recent report of the Committee on Standards in Public Life on parliamentary expenses; makes all MPs and Lords resident in the UK for the purposes of paying tax; requires the inclusion of non-

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departmental public bodies and other government agencies in departmental spending plans and accounts; reforms the '30 year rule' on classified government information to a 20 year rule; clarifies the eligibility of Commonwealth and Irish citizens to be members of the House of Lords or other public offices; and requires that at any parliamentary election the returning officer for each seat takes reasonable steps to conduct the counting of votes within four hours of close of poll.

Crime and Security Act

The Act provides for mandatory parenting assessment of parents whose children if aged 10 to 15 are considered for an ASBO and parenting orders for those whose children breach an ASBO; powers for police and local authorities to apply to the courts for an injunction against young people over 14 to prevent them from associating with known gang members or going into a particular area; new domestic violence protection orders which prevent the abuser returning to the home for a fixed period; a licensing scheme for wheel-clamping companies and an appeals process for motorists against unfair clamping; powers for local authorities to limit the sale of alcohol between 03.00 and 06.00; reducing paperwork required for police stop and searches, as well as powers for police to search individuals subject to control orders and seize certain items; and a new offence of failing to prevent minors from having access to air weapons.

Equality Act

The Act harmonises existing equalities legislation across race, age, gender, disability, religious belief and sexuality. It also extends age discrimination protection beyond employment law; protects against discrimination by association (i.e. for parents of disabled children); provides protection against discrimination on the grounds of gender reassignment to school pupils; outlaws discrimination in the membership of private clubs; creates a public sector Equality Duty to promote equality in decision making in relation to age, gender, disability, sexuality and religious belief and provides a new duty to take into account socio-economic inequalities; requires employers undertake and publish the results of gender audits of salaries; and extends the period by which political parties may positively discriminate in favour of women through all-women shortlists for selection.

Flood and Water Management Act

The Act requires the Environment Agency to create a National Flood and Coastal Erosion Risk Management Strategy. It also requires leading local flood authorities to create local flood risk management strategies; enables the Environment Agency and local authorities more easily to carry out flood risk management works; introduces a more risk-based approach to reservoir management; changes the arrangements that would apply should a water company go into administration; enables water companies more easily to control non-essential uses of water, such as the use of hosepipes; enables water companies to offer concessions to community groups for

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surface water drainage charges; requires the use of sustainable drainage systems in certain new developments; and introduces a mandatory building standard for sewers.

Northern Ireland Assembly Members Act

The Act amends the Northern Ireland Act 1998 to allow the Northern Ireland Assembly to delegate its powers in relation to the setting of salaries and allowances of Members of the Legislative Assembly. The Act enables the Assembly to confer these functions on an independent body of its own choosing. The Act also includes provisions to prevent Assembly Members who also sit in the House of Commons or the European Parliament from drawing their Assembly salaries.

Personal Care at Home Act

The Act provides for those with the greatest care needs to be offered free personal care at home. It removes the existing time limit of up to six weeks in respect of free local authority personal care at home for those in the greatest need. The Act is intended to be the first step towards establishing a new National Care Service.

Sunbeds (Regulation) Act

The Act places a duty on sunbed businesses to prevent use of sunbeds by under-18s and provides for local authority enforcement of this duty. It gives Ministers powers to make regulations imposing further conditions on commercial sunbed use, including requirements for supervision, provision of information on health risks, and eye protection.

Sustainable Communities Act 2007 (Amendment) Act

The Act amends the 2007 Act by setting a deadline for the Secretary of State to initiate the next round of proposals from local authorities for enhancing the sustainability of local communities. It also provides for regulations to be made specifying the rules for this process. These regulations will also cover parish council involvement and the role of local petitioning. There is also provision for greater flexibility in decision-making on proposals.

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