



Department for Communities and Local Government

To: Chief Executives,

Principal councils in England

29 January 2015

Dear Chief Executive

Proposed Local Authorities (Functions and Responsibilities) (England) Regulations 2015

The Secretary of State is proposing to make, under sections 9D, 9DA and 105 of the Local Government Act 2000, the Local Authorities (Functions and Responsibilities)(England) Regulations 2015, and I am now writing to invite any comments you wish to make on the proposed Regulations. A draft of the Regulations and a note explaining the changes that have been made in the draft are at:

<http://www.gov.uk/government/consultations/proposed-local-authorities-functions-and-responsibilities-england-regulations-2015>.

As set out in the note, the proposed Regulations would consolidate the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and 15 subsequent amending Regulations, update existing provisions to reflect legislative changes (e.g. the Flood and Water Management Act 2010, the Health and Social Care Act 2012, and the Scrap Metal Dealers Act 2013), and give effect to certain policy developments. I would draw your attention in particular to the provisions in the draft Regulations on –

- **council budgeting** which give greater clarity about the roles of the full council and executive on budgeting and in year budget changes,
- on a **“mayoral plan”**, reflecting an elected mayor’s commitments to their electorate, and the role of such a plan in the authority’s processes for deciding its strategies and policies, and
- on **the roles of the executive and council** in relation to certain matters, in particular charges relating to neighbourhood planning, the establishment of combined authorities and economic prosperity boards, contracting out of functions under section 70 of the Deregulation and Contracting Out Act 1994, and that any decision to dispose of land and buildings with a value above £500,000 should not be a matter for the executive.

Ministers are also minded to include in the proposed Regulations provision to require decisions relating to -

- new parking enforcement areas or parking charges, and
- to the frequency of waste collection

should be put to the full council.

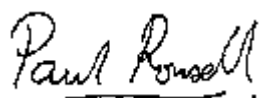
I would be grateful for any comments you wish to make on the proposed Regulations, and in particular on the matters mentioned above. In the case of council budgeting is it appropriate for the same arrangements to apply to all executives, whether led by a directly elected mayor or leader, or in the latter case should the full council have a greater role – for example, in relation to in year changes or spending priorities within the fiscal envelope set by the full council before the start of the year.

Please send any comments to laregulations@communities.gsi.gov.uk so as to be received by close **6 March 2015**.

Should you have any questions or wish to discuss the proposals with us, please contact Ian Barber on 030 344 42578 - ian.barber@communities.gsi.gov.uk or Carol Whale on 030 344 41769 carol.whale@communities.gsi.gov.uk

I am writing in similar terms to the Local Government Association, the Society of Local Authority Chief Executives, the Chartered Institute of Public Finance and Accountancy, the Centre for Public Scrutiny, the Association of Democratic Services Officers, and Lawyers in Local Government.

Yours sincerely

A handwritten signature in black ink that reads "Paul Rowsell". The signature is written in a cursive style with a horizontal line underneath the name.

Paul Rowsell