

POLICY INFORM: TRANSFORMATION AND RESOURCES

Policy Inform: April 2016

The Directorate Policy briefings will provide an overview of ongoing and recent national legislation, bills presented to Parliament, emerging policies and upcoming consultations. The Directorate Policy briefing will be produced specifically to inform Portfolio Holders and Elected Members and will be taken to Policy & Performance Committees for discussion.

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Introduction

The policy briefing paper is intended to provide Members of the Policy and Performance Committee with the latest position on emerging policy and legislative developments to support the Committee's work programme and future scrutiny work.

The following table outlines the timetable for the preparation and reporting of policy briefing papers:

Policy & Performance Committee Briefings	
July 2015	The first policy briefing will focus predominately on the Queen's Speech, which will establish the Government's legislative programme for the parliamentary year ahead.
September 2015	The second policy briefing will be produced in September and will focus on the Chancellor's July 2015 Budget Statement. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
January 2016	The third policy briefing will focus on the Autumn Statement and the Spending Review which sets out how Government money will be allocated. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
April 2016	The fourth policy briefing will focus upon the 2016 Chancellor of Exchequers Budget. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.

The April policy briefing outlines the key features of the Chancellor of Exchequers Budget Statement, which was announced on 16th March 2016. The policy briefing also alludes to any potential implications that have been highlighted by relevant Officers for Wirral Council, and elaborates on any legislation or policy updates that have been implemented or developed since the last policy briefing in September.

The Committee may wish to identify specific policy areas to focus upon which are in line with the Committee's work programme. Detailed briefing papers can be prepared for these subject matters at the request of the Committee which would be in addition to the regular policy briefing papers outlined above.

Chancellors Budget – 16th March 2016

This year the deficit will have been cut by almost two thirds from its peak. Commitment to a further £3.5 billion of savings from departmental spending in 2019-20 was announced to help the government achieve a surplus by 2020. The key announcements outlined in the Budget have been divided into themes and are displayed below:

Local Councils and Public Sector

- The Chancellor has not announced any further cuts to local government in this budget.
- However, the government will find a further £3.5 billion of savings from public spending in 2019-20. The Chief Secretary to the Treasury, with the support of the Paymaster General, will lead an efficiency review, which will report in 2018.
- The government will consult on new rules requiring local authorities to be transparent about the cost of the in-house services they provide, and whether there could be savings from using competitive external providers.
- There will be increases to contributions from public sector employers for public service pensions.

Devolution

- Agreements have been reached to create combined authorities headed up by elected mayors for East Anglia, the west of England and Greater Lincolnshire.
- A further devolution deal has been agreed with Greater Manchester, including a commitment to work towards the devolution of criminal justice powers.
- Greater Manchester and Liverpool City Region will pilot 100% business rates retention.
- The share of business rates retained in London will be increased and responsibility for funding TfL's capital projects will be transferred.
- The government will explore, with London, options for moving to 100% business rates retention ahead of the full roll-out.
- Previously agreed mayoral devolution deals will each receive un-ringfenced single pots of funding to spend on local priorities, worth £2.86 billion in total.

Housing and Planning

- From April 2017 a new 'life time ISA' will enable under-40s to save up to £4,000 a year with the Government contributing £1 for every £4 saved. Funds can be used to buy a first home, and can be withdrawn from age 60 for use in retirement.
- The government has announced the delivery of 13,000 affordable homes two years early by bringing forward £250 million of capital spending to 2017-18 and 2018-19.
- Launch of the Starter Homes Land Fund prospectus, inviting local authorities to access £1.2 billion of funding to remediate brownfield land to be used for housing, to deliver at least 30,000 Starter Homes
- The date from which new or renewed tenancies in the social sector will be subject to the cap on Housing Benefit will be deferred for supported accommodation from April 2016 to April 2017.

Transport and Infrastructure

- £300m will be provided to fund High Speed 3 between Leeds and Manchester and improve northern transport connectivity.
- £80m will be provided to help fund the development of Crossrail 2.
- £230m for road improvements in the north of England, including upgrading parts of the M62.
- There will be a 0.5% increase in insurance premium tax to fund an extra £700m by 2020-21 to be spent on new flood defences in areas including Leeds, York, Calder Valley, Carlisle and wider Cumbria, and for maintenance of existing defences.
- Fuel duty will be frozen again in 2016-17.

Families and Wellbeing

- £100m will be provided to deliver low-cost 'second stage' accommodation to help rough sleepers and domestic abuse victims and their families move on from emergency hostels and refuges.
- £10m will be available to support schemes to prevent and reduce rough sleeping.
- Funding for the Rough Sleeping Social Impact Bond will be doubled from £5 million to £10 million.
- £1.7m will be provided to charities to reduce violence against women and girls.
- From April 2017, 4,000 Armed Forces veterans will be able to keep payments from their war pensions if they need social care.

Digital Government

- The Government will deliver a 5G strategy in 2017, based on an assessment by the National Infrastructure Commission of how the UK can become a world leader in 5G.
- The Government will establish a new Broadband Investment Fund, in partnership with private sector investors, to support the growth of alternative broadband networks by providing greater access to finance.
- By 2022 local authority business rates systems will be linked to HMRC digital tax accounts.

Businesses

- From April 2017 Small Business Rate Relief (SBRR) will be doubled from 50 per cent to 100 per cent, meaning that small businesses that occupy property with a rateable value of £12,000 or less will pay no business rates. Properties with a rateable value between £12,000 and £15,000 will receive tapered relief.
- The threshold for the standard business rates multiplier will be increased to a rateable value of £51,000 in April 2017.
- From April 2020, the annual indexation of business rates will switch from the Retail Price Index (RPI) to the Consumer Price Index (CPI).
- Corporation tax will be cut to 17% in 2020.
- Relief on interest payments will now be capped at 30% of UK earnings, with exceptions for groups with legitimately high interest payments.
- Over the next 5 years, the government will raise nearly £8 billion from large companies and multinationals through changes to the rules on interest and other measures, including:
 - Introducing rules to prevent multinational companies avoid paying tax in any of the countries they do business in.
 - Taxing outbound royalty payments better.
 - Making sure offshore property developers are taxed on their UK profits.
- Employers will pay National Insurance on pay-offs above £30,000 from April 2018.
- From 17 March 2016 the new rates and tax bands for stamp duty for commercial property will be 0% for the portion of the transaction value up to £150,000; 2% between £150,001 and £250,000, and 5% above £250,000. A new 2% stamp duty will be introduced on leasehold rent transactions with a net value over £5 million.

Schools and Apprenticeships

- All schools are to become academies by 2020, or to have an academy order in place to convert by 2022.
- A new sugar tax will be imposed on sugary drinks from April 2018. This will apply to drinks with total sugar content above 5 grams per 100 millilitres, with a higher rate for more than 8 grams per 100 millilitres.
- £500 million of additional core funding will be awarded to schools over the course of this spending review to speed up the introduction of the national funding formula. It is the government's aim that 90 per cent of schools who are to gain additional funding, to receive the full amount they are due by 2020.
- Up to £285 million a year will be provided to give 25 per cent of secondary schools the opportunity to extend their school day, to offer more extra-curricular activities.
- £10 million of funding a year will be provided to expand breakfast clubs in up to 1,600 schools from September 2017.
- £20 million a year will be invested in a Northern Powerhouse Schools Strategy.
- From April 2017, employers will receive a 10 per cent top-up to their monthly levy contributions in England, to spend on apprenticeship training through their digital account.

Taxation

- The Personal Allowance will be increased to £11,500 in April 2017 and the higher rate threshold will rise to £45,000.
- The higher rate of Capital Gains Tax to be cut from 28% to 20% and the basic rate from 18% to 10% from April 2016. Residential property will still be taxed at current rates
- Class 2 National Insurance contributions for self-employed people will be abolished from April 2018. From April 2018, self-employed people will only need to pay Class 4 National Insurance contributions on their profits.
- From April 2017 there will be two new tax-free £1,000 allowances – one for individuals selling goods or providing services, and one for income from properties owned.
- Tax support worth £1 billion for the oil and gas industry; this includes effectively abolishing Petroleum Revenue Tax from 35% to 0% and reducing the supplementary charge on oil and gas extraction from 20% to 10%.
- Duty rates on beer, whisky, spirits and most ciders will be frozen this year. However duty rates on wine will rise with inflation.

Further Analysis

Public Sector

- Though it is not yet clear where the £3.5bn extra in public sector cuts will fall, it is expected that they will hit local government either directly or through the knock on effect of cuts to welfare benefits.
- The increase in employer contributions for public service pensions is anticipated to reduce expenditure by £2bn.

Devolution

- All councils need greater freedom from central government to take decisions over vital services in their area in order to build desperately-needed homes, create jobs, provide dignified care for our elderly and boost economic growth. Devolution deals agreed in this budget are good news for councils and rightly recognise the economic potential of England's county and rural areas.
- The radical devolution of justice responsibilities will enable Greater Manchester to offer seamless interventions for offenders as they transition between prisons and the community, and to join up public services to tackle the root causes of crime and prevent reoffending.
- The 'single pot' announcement for mayoral devolution deals will allow areas to take more control over strategic investment and bring together previously fragmented funding streams to boost jobs and growth in their area.
- The pilot authorities of 100% business rates retention announced are an important first step and should be used to inform the development of the wider system that will be introduced to all authorities by 2020. However, it will be important to avoid a knock-on financial impact on other councils, and local government will rightly need to play a lead role in making sure any new national system works effectively and fairly.

Businesses

- The reform to the SBRR will mean that 600,000 small businesses will pay no rates. An additional 50,000 businesses will benefit from tapered relief.
- Changes to the threshold for the standard business rates multiplier will take 250,000 smaller properties out of the higher rate.
- The switch from RPI to CPI represents a business rates cut every year from 2020, worth £370m to businesses in one year alone. This will lead to a reduction in income to councils at a time when they will be more dependent than ever on this income.
- The government has provided assurance that local government will be compensated for their reduced income as a result of the changes to business rates and the impact will be considered as part of the government's consultation on the implementation of 100 per cent business rates retention in summer 2016. However, this reduction in the amounts of money available will undoubtedly complicate the policy consequences and transfers of resources to different areas.
- New anti-tax avoidance and evasion measures are expected to raise £12bn by 2020.

Wellbeing

- The announcement that the war disablement pension for veterans will no longer be taken into account when calculating the amount they must pay towards their care costs is a positive one. However, this will create a new burden on councils. The LGA have argued that adult social care budgets are already under enormous strain and should not be expected to absorb further costs resulting from government policy changes.

Schools

- Ofsted has rated 82 per cent of council maintained schools as 'good' or 'outstanding', whilst identifying that the improvement in many secondary school academies has stalled. This defies reason that councils are being portrayed as barriers to improvement.
- The LGA say it is vital that it is the quality of education and a school's ability to deliver the best results for children in each area that is the priority, rather than the legal status of a school.
- Forcing schools to become academies strips parents, teachers and faith groups of any local choice. Giving significant powers relating to education to unelected civil servants means parents and residents will be unable to hold them to account at the ballot box.
- Councils have spent millions of pounds to cover the cost of schools becoming academies in recent years, while the Department for Education spent an additional estimated £1 billion in 2012. With mixed evidence about academisation improving standards, and when public spending is facing significant cuts, the LGA argue that imposing academisation on schools is not an appropriate use of public money.
- The new sugar tax is expected to raise £520m in the first year. Revenues raised will help fund more sport in primary schools.
- Introducing a new national funding formula will inevitably create losers so it is essential that it is introduced in a phased way to protect those schools facing a relative reduction in budgets.

Housing

- The £100 million invested in low-cost 'second stage' accommodation will provide 2,000 places to enable independent living for vulnerable households and individuals, whilst freeing up hostels and refuges for those in most acute need.
- It is crucial that councils, as local planning authorities, are able to determine the mix of housing tenure on sites in order to respond to local community need and that this authority is not undermined by national determinations to build starter homes at the expense of other tenures.

Flooding

- The additional funding for flood defences will enable local authorities and their communities to recover from recent extreme weather. The LGA has recommended that this funding should be devolved to local areas so that council can work with communities and businesses to ensure money is directed towards projects that best reflect local needs.
- The LGA has also said that councils will almost certainly need more financial help from the government as the full cost of the winter's horrendous flooding damage emerges.

Queen's Speech 2015- Designation to Policy and Performance Committees

On Wednesday 27th May 2015, the Queen unveiled the Government's legislative plans for the year ahead. Below is a list of each individual Bill which will have implications for local government that were announced during the speech. The list identifies the Policy and Performance committee with whose remit the legislation most closely aligns:

Legislative Plans	Policy and Performance Committee
National Insurance Contributions Bill/ Finance Bill	Transformation and Resources
Welfare Reform and Work Bill	All Policy and Performance Committees
Trade Union Bill	Transformation and Resources
Housing and Planning Bill	Regeneration and Environment
Cities and Local Government Devolution Bill	Regeneration and Environment
Buses Bill	Regeneration and Environment
High Speed Rail Bill	Regeneration and Environment
Childcare Bill	Families and Wellbeing
Energy Bill	Regeneration and Environment
Education and Adoption Bill	Families and Wellbeing
Enterprise Bill	Regeneration and Environment
Policing and Crime Bill	Families and Wellbeing Transformation and Resources
Draft Public Service Ombudsman Bill	Transformation and Resources
Psychoactive Substances Bill	Families and Wellbeing
Investigatory Powers Bill	Transformation and Resources

Additional bills that have been announced are outlined below. These will be monitored in relation to any emerging implications for Local Government and reported to the relevant Policy and Performance Committee as appropriate.

Additional Legislative Plans
EU Referendum Bill
Scotland Bill
Immigration Bill
Extremism Bill
Charities Bill
Armed Forces Bill
Bank of England Bill
Northern Ireland (Stormont House Agreement) Bill

Wales Bill
Votes for Life Bill

The bills relevant to the Families and Wellbeing Committee are discussed in further detail in this paper. The information provided has been sourced predominately from the LGiU, as well as SOLACE and the LGC and therefore solely represents a fact-based introduction to the bills.

Queen's Speech 2015- Developments and Implications

Draft Public Service Ombudsman Bill

Synopsis and Key Points:

Synopsis:

- The aim of this Bill is to reform and modernise the Public Service Ombudsman sector to provide "a more effective and accessible final tier of complaints redress within the public sector". It would absorb the functions of the Parliamentary Ombudsman, the Health Ombudsman, and the Local Government Ombudsman and potentially the Housing Ombudsman.

Key Points:

- Allow the Public Service Ombudsman to absorb the functions of the Parliamentary Ombudsman, the Health Ombudsman, the Local Government Ombudsman and potentially The Housing Ombudsman.
- Ensure a robust process for accountability and reporting. The new Ombudsman will be independent of Government and directly accountable to Parliament.
- Establish the relevant powers for a modern ombudsman organisation.

Further Developments:

- There are no further developments at this time. The Draft Public Service Ombudsman Bill will be kept under review and developments will be outlined in future Policy Inform briefings.

Wirral Implications:

- There are no immediate issues arising. The impact of the Bill will be procedural rather than financial or increasing duties and responsibilities on the Council.

National Insurance Contributions (Rate Ceilings) Act 2015

Synopsis and Key Points:

Synopsis:

- The Act is designed to set a ceiling on the main and additional percentages, the secondary percentage and the upper earnings limit in relation to Class 1 national insurance contributions.

Further Developments:

- Following agreement by both Houses the National Insurance Contributions (Rate Ceilings) Bill received Royal Assent on 17 December 2015. The bill is now an Act of Parliament.

Wirral Implications:

- There are no direct implications for Wirral arising from this Act. This Act is mainly concerned with Income and Corporate taxation which does not apply to local authorities. There are changes to Employer's National Insurance contributions, coming into effect in April 2016, which will have a significant effect upon Wirral as an employer. These changes have already been legislated for and built into budget forecasts.

Finance Act 2015

Synopsis and Key Points:

Synopsis:

- The Act is design to grant certain duties, to alert other duties, and to amend the law relating to the National Debt and the Public Revenue, and to make further provisions in connection with finance.

Further Developments:

- Following agreement by both Houses the Finance Bill received Royal Assent on 18 November 2015. The bill is now an Act of Parliament.

Wirral Implications:

- There are no direct implications for Wirral arising from this Act.

Policing and Crime Bill

Synopsis and Key Points:

Synopsis:

- This legislation is intended to continue the reform of policing with the aim of enhancing protections for vulnerable people

Key Points:

- The Bill would ensure 17 years olds who are detained in police custody are treated as children for all purposes under PACE.
- In particular, the amendments to the provisions of PACE concerning 17 year olds include:
 - Ensuring an appropriate adult is present for drug sample taking;
 - Ensuring appropriate consent is granted by both the 17 year old and parent/legal guardian for a range of interventions, including intimate searches; and
 - The ability to impose conditional bail to ensure the welfare and interests of the 17 year old.
- Reforming legislation in relation to the detention of people under sections 135 and 136 of the Mental Health Act 1983 to ensure better outcomes for those experiencing a mental health crisis.
 - Prohibiting the use of police cells as places of safety for those under 18 years of age and further reducing their use in the case of adults;
 - Reducing the current 72 hour maximum period of detention; and
 - Extending the power to detain under section 136 to any place other than a private residence.

Further Developments:

- The Policing and Crime Bill completed its Committee stages on 12 April 2016. The bill will next be considered at Report Stage, Legislative Grand Committee and Third Reading over two days, beginning on Tuesday 26 April.

Home Secretary Theresa May said:

- “Our police reforms are working and crime has fallen. The independent Crime Survey for England and Wales shows that crime has fallen by more than a quarter since June 2010, with some 2.9 million fewer crimes a year.
- “We are seeing the benefits of HMIC’s scrutiny in more accurate crime recording, particularly of violence.
- “More victims of sexual offences and domestic abuse offences are coming forward. Public confidence in the police remains high and more people believe the criminal justice system is effective.”
- As part of the Policing and Crime Bill it will be made possible for police volunteers to be given powers without becoming a Special Constable.
- The changes will enable volunteers and staff to work more closely with officers, helping them to police communities and keep them safe. Additionally, they will

Further Developments Continued:

- create a more flexible workforce and help to bring new skills and expertise to policing, freeing up police officers to concentrate on core policing tasks.
- National Police Chiefs' Council Lead for Citizens in Policing, Chief Constable Dave Jones said: "The onus on chief constables is to use the powers wisely, ensure they fit the needs of local policing and provide appropriate training so that they help us keep our communities safe".
- Changes to the Mental Health Act will be made under the forthcoming Policing and Crime Bill; banning police cells as a "place of safety" for under-18s and creating regulations to limit the circumstances in which police cells can be used a place of safety for adults.
- Karen Bradley, Minister for Preventing Abuse, Exploitation and Crime, said: "The best place for people experiencing a mental health crisis is a healthcare setting, those experiencing mental health problems should receive specialist care and support from healthcare professionals, rather than police officers".
- While there has been an almost 50% reduction in the number of times police cells were used as a place of safety in England and Wales between 2011/12 and 2014/15, this is highly variable across the country.
- This change in legislation will abolish the use of police cells simply because there is no suitable alternative available and ensure that all suffers of mental health are cared for in the proper environment.

Wirral Implications:

- Appropriate Adult Provision- The Youth Offending service (YOS) is in support of this change and we have been anticipating it for over a year. This change supports and recognises 17 years olds as still being youths and not adults during PACE interviews, processing and charging stages of detention.
- Our Appropriate Adult (AA) services are already in place and will accommodate this wider age group. YOS provides this service by day and Emergency Duty teams (EDT) by night. This may involve an increase in workload, however some 17 year olds who are detained in custody can be deemed to be vulnerable adults and the existing AA service covers youths and vulnerable adults anyway. The increased workload therefore may not be large.
- Identification of Accommodation for those young people detained- The Merseyside Criminal Justice Board Youth Detention Protocol may also need to include 17 year olds and this may have an impact on the requirements for Local Authorities to find accommodation for 17 year olds who have been refused Police Bail and the LA has a duty to accommodate them. The existing Policy may change to include 17 years olds, this would then have an impact on CYPS Specialist Services and demands to accommodate 17 year olds at short notice who have been refused bail.

High Speed Rail Bill

Synopsis and Key Points:

Synopsis:

- The aim of this Bill is to provide the Government with the legal powers to construct and operate phase 1 of the High Speed 2 (HS2) railway.

Key Points:

- Give the Government deemed planning permission for the railway between London and the West Midlands.
- Give the Government compulsory purchase powers and the power to temporarily take possession of land required to construct and operate the railway.
- Help rebalance the UK economy and free up space on the UK rail network, improving connections between London, the Midlands, the North and Scotland.

Further Developments:

- The High Speed Rail Bill completed Public Bill Committee stages on 8 March 2016. The bill passed its Report Stage and Third Reading on 23 March.
- In the Autumn 2015 Spending Review the government confirmed their commitment to the HS2 scheme.
- Good progress is being made with HS2 Phase One (London to Birmingham) and it is hoped that the hybrid Bill for this part of the railway will achieve Royal Assent by the end of 2016, so that construction can begin in 2017.
- The section of HS2 from Fradley in the West Midlands to Crewe (Phase 2a), will be accelerated so that it opens 6 years earlier than planned, in 2027. This will bring more capacity and faster HS2 services to the north-west of England and Scotland much sooner than originally planned.
- Powers to build this section will be sought through a separate hybrid Bill which the Government hopes to deposit in parliament in 2017.
- The Spending Review 2015 confirmed an overall budget of £55.7 billion for HS2 in 2015 prices. This is consistent with the £50.1 billion (in 2011 prices) set in 2013.
- HS2 Ltd's headquarters in Birmingham were officially opened by the Transport Secretary Patrick McLoughlin on 4 February 2016. Up to 1,000 staff will be employed at the offices, from engineers to procurement specialists.
- Phase One of HS2 between London and the West Midlands is estimated to support up to 14,600 construction jobs, 2,200 permanent operations and maintenance jobs, and 30,300 jobs supported by development around HS2 stations in Euston, Old Oak Common, Birmingham Interchange and Birmingham Curzon Street.
- The HS2 Commons Select Committee has heard almost 2,600 petitions, many of which have led to changes to the bill. This will ensure that HS2 is designed in the best way possible.
- The Select Committee published their second special report on 22 February 2016; setting out their directions and recommendations for 'modifications, assurances, undertakings or mitigation to address petitioners' concerns'.

Further Developments Continued:

- The issues covered include: a longer Chilterns bored tunnel, alternative plans for Euston, a HS12-HS1 link, and a possible link to Heathrow. The Committee make a number of other recommendations to address specific local concerns and a number of route-wide issues.
- HS2 Ltd, has launched two consultations on its Environmental Impact Assessment (EIA) and Equality Impact Assessment (EQIA) scope and methodology reports for construction and operation of the Phase 2a section of the line.
- The consultations will seek views of statutory and expert bodies on the scope, methodology and overall approach of the assessments. The consultations run until 13 May 2016.
- In the recent Budget in March 2016, George Osborne announced further plans to improve Northern strategic transport, including plans for an HS3 rail scheme between Manchester and Leeds, the widening of the M62 between Leeds and Manchester, and improved road links in the North Pennines. He also said the government will develop the case for a new tunnel road from Manchester to Sheffield.

Wirral Implications:

- The confirmation of the HS2 project budget, and the Chancellor's stated commitment to the Transport for the North programme appear to have positive implications for Wirral, as part of the wider Liverpool City Region, and it aims to achieve full high speed rail connectivity. Investment in HS2 could help Wirral - and the wider City Region - to accelerate economic growth.

Trade Union Bill

Synopsis and Key Points:

Synopsis:

- The aim of this bill is to bring forward legislation to reform trade unions to ensure hardworking people are not disrupted by little-supported strike action and to pursue the Governments ambition to become the most prosperous major economy in the world by 2030.

Key Points:

- Introduction of a 50% voting threshold for union ballots turnouts (and retain the requirement for there to be a simple majority of votes in favour).
- In addition to the 50% minimum voting turnout threshold, introduction of a requirement that 40% of those entitled to vote must vote in favour of industrial action in certain essential public services (health, education, fire, transport).
- Tackling intimidation of non-striking workers during a strike.
- Introduction of a transparent opt-in process for the political fund element of trade unions subscriptions. This will reflect the existing practice in Northern Ireland.
- Introduction of time limits on a mandate following a ballot for industrial action.
- Making changes to the role of the Certification Officer

Further Developments:

- The Trade Union Bill completed its Committee stage on 25 February 2016. Report stage took place on 16 March. A second day of report stage is scheduled for 19 April.

Wirral Implications:

- The main implication for the Council is the ceasing of employer 'check off' facilities. We expect this means that we will no longer be able to offer the facility to deduct trade union subscriptions from Payroll. However, it is not yet clear what the specific requirement of the bill will be in relation to this. The legislation also places requirements on trade unions to meet certain conditions before industrial action is taken. There are no implications for the Council as an employer directly from those aspects'

Welfare Reform and Work Act 2016

Synopsis and Key Points:

Synopsis:

- The overriding aim of the Act is to reduce expenditure and “help to achieve a more sustainable welfare system.” A related aim is to support efforts to increase employment and “support the policy of rewarding hard work while increasing fairness with working households.”

Key Points:

- It is essentially an Act of three parts. First, it will introduce a duty to report to Parliament on:
 - Progress towards achieving full employment.
 - Progress towards achieving 3 million apprenticeships in England.
 - Progress with the Troubled Families programme (England).
- Second, it will repeal almost all of the Child Poverty Act 2010 and introduce a new duty for the Secretary of State to report annually on “life chances”: children living in workless households and educational attainment at age 16, in England.
- Finally, the Act allows for the introduction of extensive changes to welfare benefits, tax credits and social housing rent levels. These will account for around 70% of the £12-13 billion in welfare savings identified in the Summer Budget 2015. The welfare/housing measures include:
 - Lowering the benefit cap threshold by removing the link between the level of the cap and average earnings.
 - Legislative changes to Housing Benefit following the Budget Announcement.
 - A four year freeze in the uprating of most working age benefits.
 - Limiting support through Child Tax Credits/Universal Credit.
 - The abolition of Employment and Support Allowance Work-Related Activity Component.
 - Changes to conditionality for responsible carers under Universal Credit
 - Replacing Support for Mortgage Interest with Loans for Mortgage Interest.
 - Reducing social housing rent levels by 1% in each year for four years from 2016-17.

Further Developments:

- Outstanding issues on the bill were resolved on 7 March 2016. Following agreement by both Houses the Bill received Royal Assent on 16 March. The bill is now an Act of Parliament.

Wirral Implications:

- Freeze Working Age Benefits**- This will impact on household disposable income, not previously frozen albeit uprating has been nominal 2013/14. This will

Wirral Implications Continued:

potentially increase the strain on Wirral's Council Tax Support, Discretionary Housing Payment (DHP), Local Welfare Assistance (LWA) schemes, as more people apply; more people become entitled to support. With consequential harder to collect charges, key revenue streams such as Council Tax, charges in respect of adult social care, Benefits overpayments will be detrimentally affected. Rent arrears locally are expected to increase as with all cuts and will continue at least whilst (social) landlords maintain rent levels and annual increases in lieu on the 12% target reduction by 2020-21. This will increase pressure on LA Housing Benefit services from Social Landlords which is evident already via the rent shortfall in Bedroom Tax and insufficient DHP.

- **Local Housing Allowance Rate Frozen**- Effective from April 2016, the private sector may see a freezing of Local Housing Allowance rates which will give private sector landlords further issue with taking on tenants who rely on HB. This is likely to have a consequential impact on the levels of people being threatened with homelessness in the Borough.

- **Cutting Household Benefit Cap**- This will certainly impact locally, regrettably we cannot yet identify precisely how many within present caseload will be affected, nor by how much in monetary terms on a weekly basis, as DWP consider circumstances of household benefits in payment that LA are unable to identify from records held. However the cut is expected to result in many more people being affected. The Percentage reduction to the total maximum in Benefits that can be paid are relatively high, with the maximum for couples and those with children, reducing from £26k per annum to £20k and for a single claimants reducing from £18,200 p.a to £13,400. The LA's HB service administers the Cap not the DWP who advise us of each situation. There are currently 52 cases live with the number affected since the original DWP scan of 131 generally reducing. The change, bringing more people into the threshold of being affected by the Cap will have a direct impact on operational resource both at customer contact point and the operational service delivery teams. Through joint working currently ongoing between the Benefits service and DWP/JC+ colleagues it is increasingly evident that the impact on resource will be significant. Those affected would have an increased reliance on other means of support, financial, Discretionary Housing Payment (DHP – annual cash limited budget) or the Local Welfare Assistance potentially (LW – finite residual budget as scheme no longer nationally funded). Likely impact will see increased problems for those in temporary accommodation with large families and again, the homeless or those at risk etc. will become reliant on the limited discretionary schemes (DHP).

- **General Issues for Wirral/Benefits Service** - As a consequence of these changes, as impacts emerge, which will be ongoing, there will be a need to make provision for the continued review of local schemes and policies with an increased reliance on any discretion the authority can, within its local policies and resources, exercise (again for example its LWA/DHP fund). The definition of 'vulnerable' may need review given the ratio of those reasonably deemed to be vulnerable which are those financially at risk, including dispossession. This will impact on key grant limited local schemes such as Council Tax Support Scheme which currently awards £27m pa in respect of 35,230 recipients. This will provide a significant challenge for officers reviewing the Council Tax Support Scheme for 2016/17 onwards and will see collection issues increase as more people face difficulty paying, coupled with more strain on the scheme impacting on its capacity and ultimately having

Wirral Implications Continued:

their national benefits reduced at source to pay Council Tax. Many people will be affected by more than one of the reforms outlined, which will present complexities, uncertainty and increased need for advocacy and advice, particularly if we are to ensure that their income, often translating to the Wirral Pound, is to be maximised. Broadly we can expect from these changes increased contact to service, both front facing public contact and back of house processing (including the Welfare Right Unit) and decision making services with an increased need and reliance on knowledgeable, experienced, skilled resources, ensuring accessibility, thereby supporting where at all possible anti-poverty measures.

- **Remove Housing Benefit from Young People**- From April 2017 it is planned to remove Housing Benefit from 18-21 year olds. This will see more young people remain at home where it may not be appropriate to do so which will see issues for the house owner receiving Housing Benefits as non-dependant charges are applied and rent increases (as adults are meant to contribute as residents). These cases which will increase provide issues for the LA with collection of information and provision of evidence of household occupants. There is also a risk of young people going missing from benefit records, with difficulties operationally in determining their primary place of residence which will be key given the increasing drive of the DWP to reduce level of error and fraud within Welfare Benefits.
- **Reduce Social Rents**- The Government have legislated for a 1% reduction for social tenants per annum, effectively from April 2016, for the next four years. Supported Housing will be exempt for one year. Although this will reduce housing costs for those tenants, its main impact will be upon the ability of Registered Providers (RPs) to finance new-build housing along with other work such as ongoing improvements to housing stock. RPs with stock in Wirral are currently revisiting their growth plans and it is likely their new-build commitments, especially for affordable rented housing, will be scaled-back and refocused to align with the Government's shift towards home ownership and increasing the private rented sector.

Investigatory Powers Bill

Synopsis and Key Points:

Synopsis:

- The Investigatory Powers Bill will transform the law relating to the use and oversight of investigatory powers.

Key points

The Bill seeks to collate all new rules concerning government surveillance powers under a single law. This includes:

- The ability to retrain and acquire communications data to be used as evidence in court and to advance investigations;
- The ability to intercept the contents of communications in order to acquire sensitive intelligence to tackle terrorist's plots and serious and organised crimes;
- The use of equipment interference powers to obtain data covertly from computers;
- And the use of these powers by the security and intelligence agencies in bulk to identify the most serious threats to the UK from overseas and to rapidly establish links between suspects in the UK.

Further Developments:

- The Investigatory Powers Bill passed its Second Reading in the House of Commons on 15 March 2016 and will next be considered by a Public Bill Committee where detailed examination of the Bill will take place.
- The need for a new law was accepted by 3 Parliamentary committees which scrutinised the Government's proposals, published in draft in November 2015 and subsequently revised to reflect the majority of the committees' recommendations.
- The revised bill reflects the majority of the committees' recommendations. The Bill:
 - Is clearer, with tighter technical definitions and strict codes of practice setting out exactly how the powers in the Bill will be used and why they are needed;
 - Includes stronger privacy safeguards, bolstering protections for lawyers and requiring the security services, as well as the police, to obtain a senior judge's permission before accessing communications data to identify a journalist's source;
 - Explicitly bans our agencies from asking foreign intelligence agencies to undertake activity on their behalf unless they have a warrant approved by a Secretary of State and Judicial Commissioner.
- The Government has also published an operational case for bulk powers as set out by the security and intelligence agencies - giving unprecedented detail on why they need their existing powers and how they are used.

Home Secretary Theresa May said:

- "This is vital legislation and we are determined to get it right.
- "Terrorists and criminals are operating online and we need to ensure the police and security services can keep pace with the modern world and continue to protect the British public from the many serious threats we face."

Wirral Implications:

- The Investigatory Powers Bill will allow local authorities to retain some investigative powers, such as surveillance of those suspected of benefit fraud, but they will not be able to access internet connection data

Finance Bill 2016

Synopsis and Key Points:

Synopsis:

- The Finance Bill 2016 is a Public Bill introduced to Parliament by the Government. The bill will grant certain duties, alter other duties, and amend the law relating to the National Debt and the Public Revenue, and make further provision in connection with finance.

Further Developments:

- The Finance Bill 2016 was introduced to the House of Commons on 22 March 2016. The Bill passed Second Reading on 11 April. The Bill will next be considered at Committee Stage.

Wirral Implications:

- There are no direct implications for Wirral arising from this. This policy will be kept under review by the relevant officers with any future implications reported in future policy papers to Elected Members.

Useful Sources

Chancellors Budget Statement

[Budget 2016: George Osborne's speech, Government website, 16th March 2016](#) – Full speech

[Budget 2016: some of the things we've announced, Government website, 16th March 2016](#) – A summary of the key announcements

[Briefing: Budget 2016, LGiU, 16th March 2016](#) – Key announcements emerging from the Budget

[Budget 2016: On the Day Briefing, LGA, 16th March 2016](#) – Outlines the impacts of the key announcements of the Budget

[LGA responds to Budget 2016, Lord Porter, Chairman of the Local Government Association, 16th March 2016](#) – LGA response to the Budget Announcement

[Andrew Jones, Budget 2016: Analysis, LGiU, 22nd March 2016](#) – Analysis of some of the key announcements

Draft Public Service Ombudsman Bill

[Draft Public Service Ombudsman Bill, The Queens Speech](#) – Brief outline and key points of the Draft Public Service Ombudsman Bill

National Insurance Contributions (Rate Ceilings) Bill

[National Insurance Contributions \(Rate Ceilings\) Bill, Parliamentary website](#) - Previous debates on all stages of the National Insurance Contributions (Rate Ceilings) Bill and any latest updates

Finance Bill

[Finance Bill, Parliamentary website](#) - Previous debates on all stages of the Finance Bill and any latest updates

Policing and Crime Bill

[Policing and Criminal Justice Bill, Government website](#) - Brief outline and key points of the Policing and Crime Bill

[Government News Story: Government introduces Policing and Crime Bill, 11th February 2016](#) – *Overview of the Policing and Crime Bill and its aims*

[Government News Story: Police volunteers to be given powers without taking on role of special constable, 20th January 2016](#) – *Details new powers for police volunteers*

[Government News Story: Restricting the use of police cells for those experiencing a mental health crisis, 8th February 2016](#) – *Details changes to the Mental Health Act that will be made under the Policing and Crime Bill*

[Tom Simon, Update on the Police and Crime Bill 2016, 5th April 2016](#) – *Key proposals of the bill and their possible impacts*

High Speed Rail Bill

[High Speed Rail Bill, Parliamentary Website](#) - *Brief analysis of the High Speed Rail Bill*

[Written statement to Parliament: HS2 and the Northern Powerhouse, 30th November 2015](#) – *Overview of the progress on HS2*

[Government News Story: HS2 moves closer to construction as Transport Secretary officially opens Birmingham headquarters, 4th February 2016](#) – *Details opening of HS2 headquarters*

[Government Press Release: HS2 Ltd launches two consultations as part of preparations for next phase of UK's new high speed rail network, 11th March 2016](#) – *Details two consultations launched by HS2*

[Ruth Bradshaw, High Speed Rail update – Spring 2016, LGiU, 21st March 2016](#) – *Overview of the latest updates surrounding the High Speed Rail Bill*

Trade Union Bill

[Trade Union Bill, Government website](#) – *Brief outline and key points of the Trade Union Bill*

[Trade Union Bill, Parliamentary website](#) – *Previous debates on all stages of the Trade Union Bill and any latest updates*

Welfare Reform and Work Bill

[Welfare Reform and Work Bill, Parliamentary website](#) - *Previous debates on all stages of the Welfare Reform and Work Bill and any latest updates*

[House of Commons, Briefing Paper- Welfare Reform and Work Bill, 16th July 2015](#) – *Brief analysis of the Welfare Reform and Work Bill*

[Andrew Jones, Welfare Reform Update: January 2016, 27th January 2016](#) – *Overview of the latest updates related to the Welfare Reform*

Investigatory Powers Bill

[Rachel Salmon, Briefing: Preventing violent extremism \(update\), 25th November 2015](#) – *Brief analysis of the Draft Investigatory Powers Bill*

[Government News Story: Investigatory Powers Bill published, 1st March 2016](#) – *Overview of the bill as it is introduced to Parliament and changes made to the draft bill*

Finance Bill 2016

[Finance Bill 2016, Parliamentary website](#) - *Previous debates on all stages of the Finance Bill 2016 and any latest updates*

Policy Developments

[Briefing: Financial sustainability of fire and rescue services – NAO report](#)

This briefing outlines the National Audit Office (NAO) report 'Financial sustainability of fire and rescue services'.

The NAO found that fire and rescue authorities have coped well with the financial challenges to date and despite reductions in their funding, the number of fires and casualties have continued on their long-term downward trend. However some have indicated that their capacity to respond to major incidents might be compromised by further funding reductions.

The Department for Communities and Local Government has limited understanding of the underlying costs of fire and rescue services, and has gaps in its understanding of changes to services and standards.

While fire and rescue authorities have managed funding reductions since 2010 well, to ensure the continued financial and service sustainability of the sector in the context of ongoing funding reductions NAO say that they would expect the DCLG to have a fuller understanding of the appropriate funding level necessary to support services.

Source: [Mark Upton, Briefing: Financial sustainability of fire and rescue services – NAO report, LGiU, 8th December 2015.](#)

[Briefing: Local Authority Trading Companies: a Policy in Practice briefing](#)

Local authorities are becoming more interested in Local Authority Trading Companies (LATCs), particularly to generate income to protect other services. LATCs are bodies that are free to operate as commercial companies but remain wholly owned by the parent local authority.

LATCs are developing rapidly, particularly in areas like social care and housing. There have been LATC successes, failures, and challenging circumstances, particularly for social care LATCs.

Grant Thornton's 'Spreading the Word' model is identified as a useful methodology to apply to the setting up and development of LATCs.

The briefing outlines a range of major issues or sticking points when developing LATCs. These include: strategic fit of the LA and the LATC; business planning; governance and staff.

It is concluded that while LATCs are perceived as one of the more positive developments at a time of financial pressure, when contemplating and planning the role of LATCs, local authorities need to think beyond the shorter term and consider the long term implications.

Source: [Alan Weaver, Briefing: Local Authority Trading Companies: a Policy in Practice briefing, LGiU, 10th December.](#)

Briefing: Local growth agendas 2016-20

The Spending Review and Autumn Statement, together with accompanying policy developments, and progress of the Cities and Local Government Devolution Bill through Parliament, has laid the foundations for ambitious and extensive local growth agendas for this parliament (and potentially the 2020s).

Underpinning the local growth context are devolution and fiscal ‘revolutions’. These are stimulating much activity and analysis in formulation and negotiation of devolution propositions and governance reforms.

However, there is much direct local growth work that needs to be undertaken concurrently. Delivering already agreed deals and programmes is a major undertaking. Managing major changes in each of skills and employment, transport and infrastructure, planning, property, housing, enterprise and innovation will be challenging endeavours in their own rights.

It is recommended that LAs should plan assiduously to mobilise the capacity and capabilities for each of these changes; determine priorities and sequencing; whilst sustaining the momentum on ‘devo-deals’; and preparing for local government finance transformation.

Source: [David Marlow, Briefing: Local growth agendas 2016-20, LGiU, 7th January 2016](#)

Briefing: Marmot Indicators 2015 by local authority area

On 27 November 2015 the Institute of Healthy Equity (IHE) published the latest performance by local authority area in England against the 2015 version of the Marmot Indicators for Health Inequalities.

The Marmot Indicators measure inequalities in health and life expectancy in every local authority in England. They also track the ‘social determinants of health’, which influence how healthy we are and how long we are likely to live.

The briefing summarises the specific Marmot Indicators used to assess inequalities and explores briefly the local authority areas with the largest increases and decreases in deprivation and what this means.

Source: [Andrew Ross, Briefing: Marmot Indicators 2015 by local authority area, LGiU, 13th January 2016](#)

Briefing: Local Government Funding in this Parliament – national picture

The Autumn Statement and Spending Review 2015 was announced on 25 November 2015 and the provisional local government finance settlement on 17 December 2015. This briefing draws on both to consider funding to local government until 2019/20.

The briefing is the first of a pair of briefings: this one looks at the national picture, while the other will look at distributional issues.

This briefing draws together the figures that can be found in the local government finance settlement, Autumn Statement and Spending Review, and Office for Budget Responsibility papers and provides some analysis of them.

It looks at the England totals for funding to local authorities over this Parliament. It also unpacks some of the terminology and seeks to clarify the relationships between the figures given in this LGFS and those provided in the 2015-16 LGFS.

Source: [Tom Lawrence, Briefing: Local Government Funding in this Parliament – national picture, LGiU, 25th January 2016](#)

Briefing: Local Government Funding in this Parliament – distribution

The Autumn Statement and Spending Review 2015 was announced on 25 November 2015 and the provisional local government finance settlement on 17 December 2015. This briefing draws on both to consider funding to local government until 2019/20.

This briefing is the second of a pair of briefings: the first looked at the national picture, while this looks at distributional issues.

The briefing breaks down some of the England totals by class of authority, specifically those for Core Spending Power (CSP) and Settlement Funding Assessment. It shows how the change in CSP between years is distributed. The briefing also explains how Revenue Support Grant is calculated for individual authorities in each year of this Parliament.

Source: [Tom Lawrence, Briefing: Local Government Funding in this Parliament – distribution, LGiU, 2nd February 2016](#)

Briefing: Trends in public sector communications – round up January 2016

This briefing summarises new law and practice, policy, research and publications on public sector communications and provides links to the source documentation of major reports for further information.

The briefing is organised in the following categories:

1. Law and practice in local government communication
2. Trends in public sector communication
3. Wider trends across the public and private sectors

Source: [Carol Grant, Briefing: Trends in public sector communications – round up January 2016, LGiU, 9th February 2016](#)

Briefing: The Local Welfare Safety Net

This briefing looks at a report on local welfare schemes, published on 6 January 2016 by the HC Work and Pensions Committee (WPC).

For the purposes of this report, the local welfare safety net is defined as comprising three schemes: Council Tax Support, Discretionary Housing Payments (DHPs), and the discretionary elements of the DWP's Social Fund (Crisis Loans and Community Care Grants).

Publication of this report has been coordinated with the National Audit Office (NAO) report to local government, 'Local Welfare Provision', which only dealt with the discretionary elements of the DWP's Social Fund in England.

Much of the report is concerned with securing the benefits of flexibility associated with localisation whilst ensuring minimum standards of protection for the most vulnerable.

Many experts reported that the level of evaluation to date of the constituent parts of local discretionary welfare had been inadequate, and the report concludes with a call for a robust cross-departmental evaluation of the adequacy and effectiveness of the welfare safety net in preventing severe hardship and destitution.

Source: [Andrew Jones, Briefing: The Local Welfare Safety Net, LGiU, 11th February 2016](#)

Briefing: One Public Estate

The One Public Estate (OPE) Programme is a joint LGA and Cabinet Office Government Property Unit (GPU) programme to encourage better economic use of public land and property held by local authorities and public sector partners.

Since its launch in 2013, over a hundred councils in 24 partnerships are now part of the programme, and are joining together to use their assets more effectively to deliver programmes of major service transformation and local economic growth. Each partnership has received an amount of funding from the Cabinet Office to get their projects off the ground.

The aim of the programme is to encourage local and central government to work together with local partners on land and property initiatives to deliver four key objectives:

1. create economic growth
2. more integrated and customer-focused services

3. generate capital receipts
4. reduce running costs

Source: [Mark Barrow, Briefing: One Public Estate, LGiU, 25th February 2016](#)

Briefing: The Alliance for Useful Evidence's report 'Devolution as a Policy Laboratory'

The Alliance for Useful Evidence's report, 'Devolution as a Policy Laboratory', was published in February 2016. The report identifies the potential for devolution in the UK to produce a 'policy laboratory', as the UK and devolved governments try out different policy solutions and learn from each other's experiences.

However, while there is some commitment in each government to learn, this potential remains unfulfilled for a number of reasons including:

- insufficient trust between governments, which undermines their willingness to share potentially sensitive information; and
- Each government oversees a different culture of policymaking, and collects data on its performance in different ways, which makes it difficult to compare their levels of success

The report provides solutions including: making greater efforts to produce comparable data; training UK civil servants to be intelligent users of good evidence; and ensuring evidence-sharing is at the heart of intergovernmental relations.

The briefing questions the particular need for the UK and devolved governments to learn from each other, highlights a comparable problem within each territory, and suggests that the report is part of a general call for the better use of evidence in policy and policymaking.

Source: [Paul Cairney, Briefing: The Alliance for Useful Evidence's report 'Devolution as a Policy Laboratory', LGiU, 25th February 2016](#)

Briefing: The 2016 IFS Green Budget

The Institute for Fiscal Studies (IFS) has produced a 'Green Budget' for the past 34 years, usually published about a month before the Chancellor's Budget Statement (scheduled this year for 16 March). It is meant to provide a detailed and independent analysis of the public finances and Budget policy options.

The 2016 Green Budget has a wide scope; coverage in this briefing is necessarily selective, and focuses on the key issues of public finances and taxation. In anticipation of the Budget, there is a summary of the analysis conducted by the IFS of the effects of the Chancellor's fiscal targets and of the risks associated with meeting them. Also dealt with is an analysis of recent changes to Universal

Credit. Shorter treatment is given to prospects for infrastructure spending, excise duties, tax evasion, and a new system of accounting called the Whole of Government Accounts (WGA).

Source: [Andrew Jones, Briefing: The 2016 IFS Green Budget, 12th March 2016](#)

Briefing: Devolution: the next five years and beyond: CLG Select Committee

The Cities and Local Government Act 2016 gained Royal Assent on 28 January 2016. The Select Committee published its report 'Devolution & the next five years and beyond' on 25 January.

The Committee launched its inquiry in July 2015 and set out to examine the Cities and Local Government Bill, focusing on what lessons could be learnt from City Deals and in particular whether Greater Manchester's devolution deal is a suitable model for other areas. As the inquiry progressed the scope widened to also review the way in which devolution in England is proceeding.

In a general sense the Committee strongly supports the principle of devolution. The Committee criticised Government for not having any measurable objectives for devolution and for rushing the process at the expense of wider public engagement and possibly introducing policy risks.

The Committee also suggested that the approach "lacked rigour as to process" and that there are "no clear and measurable objectives".

In terms of strengthening accountability the Committee recommend that scrutiny arrangements need to be developed and noted that whilst there is formal monitoring of health organisations performance there is none for local government.

Source: [Mark Barrow, Briefing: Devolution: the next five years and beyond: CLG Select Committee, LGiU, 17th March 2016](#)

Briefing: Connected Councils: A Digital Vision of Local Government in 2025

This briefing summarises the NESTA report 'Connected Councils- A Digital Vision of Local Government in 2025', published in March 2016.

This report sets out a vision of where councils might be in 2025 by using digital technology to improve outcomes for residents, businesses and local communities. It brings together a range of existing research and case studies under four topics:

- Seamless services: continuing the trend towards moving transactions online and automating back office services.
- Relational services: helping labour intensive services such as social care save money and deliver better outcomes for service users.
- Place-shaping: engaging citizens in new ways and helping local economies to grow.

- How councils work: transforming how councils organise themselves and manage resources.

The report makes a number of recommendations for Councils, in order to realise the potential of the 2025 vision for digital local government.

Source: [Carol Grant, Briefing: Connected Councils: A Digital Vision of Local Government in 2025, LGiU, 30th March 2016](#)
