

*Consultation on Proposed Changes to  
the Delivery of Local Authority  
Freedoms and Flexibilities under CPA  
2005*

Analysis of Responses

# Consultation on Proposed Changes to the Delivery of Local Authority Freedoms and Flexibilities under CPA 2005

## Analysis of Responses

On 5th May 2006 the responsibilities of the Office of the Deputy Prime Minister (ODPM) transferred to the Department for Communities and Local Government (DCLG)

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# Summary of actions agreed to by Government

In response to the comments received as part of the consultation on the proposed delivery of Freedoms and Flexibilities under CPA 2005, and in addition to making plans to transfer existing freedoms across to the equivalent, new, performance categories for single/upper tiers, Government has promised to take action to:

## **PLANS**

- Extend the exemption from the requirement to produce Homelessness Strategies to 4 and 3 star authorities;
- Extend the exemption from the requirement to produce Youth Justice Plans to 4 and 3 star authorities;
- Extend the exemption from the requirement to produce Home Energy Conservation Reports to 4 and 3 star authorities;

## **RINGFENCING**

- Extend non-DfES revenue ringfencing freedoms (excluding Supporting People) to 4 and 3 star authorities;
- Extend non-DfES capital ringfencing freedoms to 4, 3 and 2 star authorities;
- Extend capital ringfencing transitional provisions of 1 year to Good, 4, 3 and 2 star authorities;

## **BVPPS**

- Extend the streamlined requirements for Best Value Performance Plans to 4, 3 and 2 star authorities;
- Extend the BVPP freedoms transitional provisions to single/upper tier authorities moving to the lowest performance category;

## **FINES INCOME**

- Extend the freedom to spend Fixed Penalty Notice income to 4, 3 and 2 star authorities;

## **POWER TO TRADE**

- Extend the power to trade to 4, 3, 2 and 1 star authorities;

## **INNOVATION FORUM**

- Extend the transitional period for membership of the Innovation Forum to 2 years.

Summaries of the agreed freedoms and flexibilities for both single/upper tier and District Councils are attached at **Annexes B and C**.

## Introduction

1. On 19 January 2006, the Office of the Deputy Prime Minister published a consultation paper asking for views on a set of proposals for changes to the delivery of local authority freedoms and flexibilities under the new Comprehensive Performance Assessment system for single and upper tier local authorities (CPA 2005). CPA 2005 replaced, for single and upper tier councils, the five categories of 'excellent' to 'poor' with new categories of 4 to 0 star, and it introduced a 'harder test'. The consultation paper set out proposed changes to take account of both of these changes to the system. Changes were not proposed for District Council freedoms and flexibilities, as District CPA has not been altered to incorporate a 'harder test'. Also, the CSCI are about to consult on next year's Performance Assessment and their Operating Policies will be revised following that – they are not discussed here.
2. The consultation period ended on 2 March, although late responses were accepted after this date. A total of 55 responses were received from:

42 Local Authorities

3 Fire and Rescue Services

1 Regional Authority

1 functional body of a Regional Authority

3 Local Government representative bodies

2 Non-Departmental Public Bodies

1 special interest group

1 professional body and

1 non-statutory committee

A full list of respondents is at **Annex A**.

3. This document summarises the responses received and sets out the subsequent Government response. Copies of responses to the consultation paper can be provided on request.

## Summary of responses on CPA based freedoms – options for change

4. The responses received were largely in favour of the Government proposals. Respondents generally considered the changes as a demonstration of the Government's commitment to freeing up councils, in line with the work being done elsewhere within Government on reducing central controls.

5. 52 responses were received on the options for change in paragraph 4 of the consultation paper. 47 respondents, including the Local Government Association (LGA) and Audit Commission, supported the Government's preferred option at paragraph 4 c) to extend the application of freedoms downwards across star categories. This was seen as the simplest option, was felt to take account of the harder test and also extended freedoms to the greatest number of authorities. It was felt that option a), transferring freedoms directly across to new star categories, did not reflect the fact that CPA 2005 is a harder test, and option b) with its extended transitional periods was too complicated.
6. 5 respondents did not support the Government's preferred option. They felt that it did not support the harder test principle and would result in a 4 star authority receiving exactly the same freedoms as a 3 star authority, thus ignoring the effort that had been made to improve its category. They considered that it would not be fair to provide freedoms to authorities that had not met the top rating. 3 respondents were particularly concerned about the exemption from specific plan requirements being extended.
7. A number of respondents wanted, in various ways, Direction of Travel Statements (DoTs) to be taken into account, with arguments that those with 'negative' DoTs should be treated differently from those with positive DoTs. The LGA stated that they strongly believed that no authority whose DoT shows that they are continuing to improve should lose any freedoms if they migrate to a lower star rating. They argued that the extension of transitional arrangements as proposed under option b) should also be available under option c) (providing 2 years' recovery time instead of 1 year), for authorities with a positive DoT. They felt that this would safeguard existing freedoms for authorities up until the new performance arrangements in 2008.
8. A small number of respondents emphasised that freedoms and flexibilities should be made available to all councils, regardless of category. The LGA maintained the stance held when the package of freedoms and flexibilities was originally introduced, that the freedoms available for top performing authorities should be extended to all councils, and should be seen as a tool for improvement rather than a reward for good performance. The Audit Commission also asked whether freedoms and flexibilities should now be promoted as a tool to aid improvement and used where appropriate, rather than a reward for higher star rating. They suggested that higher performing authorities could be considered low risk for the provision of freedoms and flexibilities and automatically receive them, whilst 2 and 1 star authorities could have their proposed use of freedoms scrutinised by DCLG to ensure any risk is effectively managed.
9. Amongst local authority respondents, however, some said that freedoms did not go far enough and that there should generally be more freedoms for all. Others suggested a range of new freedoms for 4 star authorities, as recognition that the 'harder test' meant that those moving from 'excellent' to 4 star had improved markedly.
10. Many respondents wanted to see the link with freedoms negotiated through Local Area Agreements strengthened, perhaps with greater freedoms being awarded to high performers during the LAA process.

11. Regarding the practicalities of amending freedoms to fit with the new CPA system, some respondents urged the Government to ensure the relevant legislative changes were made as quickly as possible so that those eligible for freedoms should be able to access them without waiting too long.

## Government response

12. *Government has been seeking to free up **all** local authorities enabling them to become ever more responsive to the needs of their local communities. Work being taken forward on the Performance Framework, the White Paper, the rationalisation of inspection bodies and further deregulatory measures demonstrates the Government's commitment to further reducing bureaucracy for all. The freedoms and flexibilities that are considered the most suitable for an individual local area can be proposed by all councils through the Local Area Agreement process, and the package of CPA-based freedoms and flexibilities should be seen in this context. CPA-based freedoms provide an additional recognition for those that have proven they can perform to a high standard and will have the capacity to make use of the freedoms to their local communities' advantage.*

## DIRECTION OF TRAVEL STATEMENTS

13. *Although Direction of Travel (DoT) statements do provide an indication of the potential for improvement within a council, using these to determine access to freedoms and flexibilities would serve to complicate the criteria for access. For some freedoms, this would also require amendments to primary legislation which could not be put in place until 2007 at the earliest.*

## TRANSITIONAL PROVISIONS

14. *Regarding the LGA's proposal for transitional periods to be extended to 2 years instead of 1 for those with positive DoTs, our original proposal (option b) for extending transitional periods was in order to mitigate the effects of the 'harder test'. However, under option c), we are proposing to take account of the 'harder test' by extending the range of those qualifying for freedoms, so extended transitional arrangements are not needed as well. There would also be implications for the timetable should we extend transitional provisions, which could mean waiting another year for the amendments to come into effect.*
15. *We are, however, proposing an extension to transitional provisions for capital ring fencing. See para 31 below.*

## LOCAL AREA AGREEMENTS

16. *The Audit Commission have suggested that authorities with lower category ratings could have access to freedoms and flexibilities scrutinised by DCLG, whilst high performers could receive them automatically. This is in effect the*

*current position – high performers receive those CPA-based freedoms that are listed in the consultation document, and other councils are able, through the Local Area Agreement negotiation process, to put the case for access to freedoms and flexibilities (now known as ‘enabling measures’) that are most appropriate for their local area.*

17. *Information on LAA Freedoms) is available online (<http://www.odpm.gov.uk/index.asp?id=1163512>). LAA Enabling Measures are requested by Local Areas to help them overcome barriers to the delivery of their agreed LAA targets and Outcomes. Requests from areas are considered on a case by case basis, local performance is taken into account but their impact on delivering LAA outcomes is the key issue. This is in line with wider LAA policy which emphasises a bottom-up approach and a focus on outcomes rather than processes.*

## Summary of responses on specific CPA based freedoms

18. Comments were made on a number of specific freedoms referred to in the consultation document.
19. There was overwhelming support for the extension of the **power to trade** to all 1 to 4 star authorities. Respondents made it clear that they felt there were enough safeguards built into the legislation to mitigate any risks. The LGA and a number of respondents also felt that this could be extended to all authorities. 1 respondent suggested that the transitional arrangements needed to be extended to 5 years.
20. There were many comments in favour of the move to an even more risk-based, proportionate approach to **inspection** and a number of respondents had also contributed to the debate on the consultation on inspection, *The Future of Local Services Inspection*. The LGA raised concerns that promises of less inspection must translate into practice.
21. The extension of exemptions from some **plan requirements** was generally welcomed, although the Chartered Institute of Housing put the case that the requirement to produce a strategy or plan should be dependent upon the need for and usefulness of the strategy or plan, rather than on the performance of the authority. Some comments about the exemption from specific plans were also received:

### **i) Rights Of Way Improvement Plans (ROWIPs)/Local Transport Plans (LTPs)**

The Countryside partners of Natural England requested that ROWIPs (like LTPs) be exempted for this current round, from the new proposals to extend freedoms to 3 star authorities, as work is already being done with DEFRA and DfT to align and integrate ROWIPs with LTPs. The British Horse Society also strongly objected to proposals to increase the number of authorities exempted from producing ROWIPs and LTPs. They were concerned that the money received for completion of LTPs appeared to be the main source of

funding to implement improvements to and the provision of new local rights of way. They were concerned that local authorities would miss out on funding opportunities. The Society and also the Rights of Way Review Committee felt that even the best performing authorities should not be exempted from producing these plans until they have been assessed as being excellent in implementing their ROWIP statement of actions. The Committee also stated that there was no explanation of how parish and community councils and local access forums would be engaged in the improvement of public rights of way in the absence of the structure provided by the duty to prepare plans.

## ii) Children & Young People’s Plan (CYPP)

Those authorities that commented said that they appreciated the significance of the CYPP in ensuring that the strategic direction across the children’s agenda was clear and were therefore content that the freedom should be retained for 4 star authorities only – a view echoed by the LGA. Indeed, the 4 star authorities that responded on this issue said that they had made the conscious decision to complete a CYPP despite the fact that they were exempt from the requirement to do so. However, the LGA believed 4 star authorities should retain the flexibility to demonstrate clear CYP planning through means most appropriate to them.

22. Little comment was made by individual local authorities concerning the reductions in **ringfencing**, but it was felt by one respondent that the 1 year transitional period for ring fencing was inadequate, and might force discretionary services to end abruptly, particularly as budgets move toward the three year cycle.

## Government response

### TRADING

23. *The Government supports the proposal to extend the power to trade to 1 to 4 star CPA rated local authorities and thereby enable broader access to the trading powers. Local authorities should firmly base any proposed trading activity on the need to secure value for money for the taxpayer and have regard to relevant good practice, not least to ensure that appropriate safeguards are in place.*
24. *Trading through a company should be undertaken by local authorities that have a strong track record of service delivery as well as the available resources to undertake commercial activities. The Government does not therefore consider it appropriate to extend the trading powers to all authorities.*
25. *Local authorities that are rated 0 star should seek to secure improvements in the delivery of core services rather than divert capacity to undertake trading activities. The existing two year transitional period represents an adequate recovery period for an authority to address areas of weakness in order to return to their previous categorisation, or to wind up their trading activities. We do not consider it necessary to extend this period further.*

## **INSPECTION**

26. *Government is working to reduce the amount of inspection, and the rationalisation of inspectorates from 11 to 4 is a move that will enable better co-ordination and reduce duplication, which will lead to better use of resources, both for inspectorates and for inspected bodies. The number of inspections undertaken has already reduced by almost fifty per cent from 2001-2002 levels and the best performing authorities have seen the greatest reductions (streamlined inspection will not however automatically free authorities from aspects of inspection where they are delivery partners, for example, inspection of police). Government is of course determined that its commitments to even greater reductions are translated into real reductions on the ground.*

### **Local Transport Plans, (LTPs) Rights of Way Improvement Plans, Air Quality Action Plans, Joint Municipal Waste Management Strategies, and Home Energy Conservation Reports**

27. (i) *Authorities have, since the second round of LTPs, been able to integrate both the Rights of Way Improvement Plan and Air Quality Action Plan into the LTP, so we are proposing to treat these in the same way as LTPs. This means that the freedom from the requirement to produce these plans will be made available to 4 star authorities only for the remainder of CPA 2005 (ie until 2008). (The original proposal was for LTP freedoms to apply to previously 'excellent' authorities only, but it has been agreed to extend this to all 4 star). However, as stated in the consultation paper, DfT will be reviewing the exemptions to plan making before the next LTPs are due in 2011 with the aim of lightening planning requirements for all authorities, and DEFRA will be feeding into that review.*
- (ii) *Similarly the freedom from the requirement to produce Joint Municipal Waste Management Strategies will be made available to 4 star authorities only. Government is of the view that joint working in this area is imperative as waste is unusually a service split over county and district authorities and local government is under pressure to divert more waste from landfill to meet challenging EU targets. The requirement to produce a strategy is already targeted only on those not performing adequately on waste issues, and the majority of authorities are already exempt.*
- (iii) *DEFRA is in the process of requesting Home Energy Conservation Reports from local authorities for work they carried out last year and will therefore still only be exempting the top category of authorities for this round, but the next HECA reporting round will extend full freedoms to all 4 and 3 star authorities.*

## **RINGFENCING**

28. *All current ringfencing freedoms available to excellent (or, in relation to capital, excellent or good) councils will be available to 4 and 3 star (and for capital, 2 star) authorities, except for the following:*

- *grants passported to schools,*
- *Sure Start,*
- *Supporting People,*

*all of which are excluded from the ringfencing freedom;*

- *School Improvement Partners funding,*

*which is excluded from the ringfencing freedom for 2006-7, but will be available for 4 star authorities for 2007-8 onwards; and*

- *the remainder of DfES grants,*

*which will be unfenced for 4 star authorities only for revenue, and 4 and 3 star authorities only for capital.*

29. *However, both Supporting People and School Improvement Partners are grants that can be negotiated through LAAs to be unfenced on a case by case basis. Government is currently looking in more detail at the interaction between LAAs and CPA related Freedoms and Flexibilities.*
30. *Concerning the suggestion that a 1 year transitional period for the retention of revenue and capital ring-fencing freedoms may not be adequate, Government believes that the proposed extension, combined with a 1 year transitional period, will adequately assist with financial planning for the remainder of both the SR04 and CPA 2005 periods.*
31. *We are therefore proposing to extend the existing transitional provisions so that all authorities receiving capital ringfencing freedoms, regardless of category, are provided with a 1 year transitional period (including District Councils). This will ensure all ringfencing freedoms have the same transitional periods, thus providing greater clarity to the system. It will also mean that all authorities that currently qualify outright for ringfencing freedoms will have those freedoms adequately protected until 2008, should they move to an unqualifying category.*

## **Summary of responses on membership of the Innovation Forum**

32. *Of 36 responses, 20 were in favour of the Government proposal to maintain the Forum for excellent District Councils and 4 star single/upper tier local authorities only. These 20 responses were evenly balanced between 4 star/excellent and non-4 star/excellent authorities. However, respondents commented that innovation was not a monopoly of 4 star/excellent councils, and that any restriction of membership should be with the proviso that Government recognised that there was innovative work amongst councils at all categories.*

33. Of those not in favour of government proposals, a number were in favour of extending membership to 3 star authorities, and others were in favour of restricting membership by taking DoTs into account, perhaps limiting membership to those 4 star authorities with Improving Strongly, or both Improving Strongly and Improving Well DoTs.
34. Of those that wanted to retain membership for 4 star and excellent authorities only, the widely held view was that a larger membership would make the Forum ineffective and unwieldy. Suggestions were made that the Forum should, however, allow 3 star authorities to contribute on key strategic initiatives, and ensure that reports and papers should be made available to former members after the 1 year transitional period was completed. The LGA, in support of maintaining membership for 4 star authorities on the grounds that extending it would result in a far larger group that would change the Forum's nature, argued that the transitional period should be extended to 2 years so that current membership could be carried over until the end of CPA 2005 in 2008 and disruption to ongoing work was minimised.
35. Of those that wanted to extend membership to 3 star authorities most said that they felt 3 star authorities had a lot to contribute to the work of the Forum, and would also find membership of benefit to them as they sought to move up a category. Restricting membership to 4 star authorities would only serve to limit the benefits of such a Forum. Some felt that 3 star with Improving Strongly or Improving Well DoTs could become members, if allowing all 3 star authorities to join would make the membership too large.
36. There were some suggestions for new bodies to be set up, including a single and upper tier Forum for 3 and 4 star authorities, with a separate District Council body, or a Forum for 3 star authorities alongside the current Forum. Other suggestions were for a more formalised structure for communicating outcomes, such as through a system of "buddying" Forum councils with those in lower categories.
37. 3 Fire and Rescue Authorities asked whether there was any reason that excellent Fire and Rescue Authorities could not be part of the Forum, and felt that they would be able to learn a lot from authorities in the Forum as well as being able to provide it with an alternative perspective. TfL also asked whether they were excluded from being a member.

## Government response

38. *The Forum has from its inception been a body for the highest performers and attempts to reduce this concentration would serve to weaken the impact the Forum can have on Government policy. It has however always maintained an inclusive approach – if an authority or partner body that is not a member of the Forum has particular expertise or interest in an area of the Forum's work, the Forum has actively encouraged their engagement. Most of the Forum's reports and papers are on the internet and any requests for copies from other local authorities would in most cases be met. The Forum wishes to develop discussion and not to stifle it, and any contributions towards innovative debate will always be welcome.*

39. *Government recognises that innovative ideas can arise from councils across all CPA categories. Alternative mechanisms to the Innovation Forum are in existence to allow innovation within thematic areas to be acknowledged and shared – the Beacon council scheme, entering its 8th year, does just that.*

## **DIRECTION OF TRAVEL**

40. *Whilst Direction of Travel statements do give an indication of those councils that are successfully striving to improve, the use of DoTs to allocate freedoms and in this case to decide membership of the Innovation Forum makes membership criteria complicated – District Council members of the Forum will not have DoTs to take into account so criteria for membership would have to include ‘excellent’ status for DCs and a far more complicated explanation of criteria for single and upper tier councils.*

## **TRANSITIONAL PROVISIONS**

41. *Government has agreed to the LGA’s proposal that the transitional period for Innovation Forum membership be extended from 1 to 2 years. This provides members with some cushioning in response to the ‘harder test’, in light of the decision not to extend membership to 3 star authorities. A 2 year transitional period, applied to current members (including those currently in their one year transitional period), will protect current membership up until 2008, should they move from 4 star.*

## **MEMBERSHIP FOR EXCELLENT FIRE AUTHORITIES & TRANSPORT FOR LONDON**

42. *Regarding membership of the Forum for excellent Fire and Rescue Authorities, the Forum has agreed that if excellent FRAs are interested in being part of a 1 year trial of membership of the Forum, their membership can be negotiated as part of the ‘bespoke’ package of freedoms and flexibilities that they are able to negotiate with DCLG. Interested excellent Fire Authorities should approach DCLG suggesting this in the way outlined for other ‘bespoke’ freedoms. We will also be offering Transport for London a 1 year trial membership.*

## **SUPPORT FOR WEAKER AUTHORITIES**

43. *Government support for weaker authorities is already substantial, and our commitment to the Innovation Forum in no way impacts on that support. Through the work of the joint DCLG/LGA Capacity Building Programme, central bodies including IDeA’s Leadership Academy, and regionally based improvement partnerships, weaker authorities are presented with a range of support mechanisms to assist them as they seek to improve their performance.*

## Summary of responses on changes to Best Value Performance Plan (BVPP) guidance

44. Of 43 comments received, 41 were in favour of Government proposals for the reasons set out in the consultation paper, and 2 were neutral.
45. Some additional comments were made. One council pointed out that they are currently required to produce both a BVPP and an annual self-assessment for their direction of travel, and they were strongly of the view that the two documents could be combined into one. It would require a change in the BVPP reporting timetable but would fit well with the CPA reporting framework. Another respondent said that the BVPP would be made more meaningful if it integrated the two CPA required self-assessments (Value for Money and Direction of Travel).
46. A further suggestion was to remove the BVPP label and ask authorities to publish a Performance Report instead, as many councils already cover the streamlined requirements of the BVPP in their Annual Report.
47. An additional idea was that the freedom granted in relation to the BVPP should be that the plan is not subject to audit, apart from the streamlined element. The respondent stated that the Audit Commission rarely used the BVPP to find out how a council is doing in delivering local priorities.
48. Another felt that the requirement to produce a BVPP should be superseded by a general requirement to publish performance information annually in the public domain, to the satisfaction of the local auditor. This could be verified by means of the Annual Audit and Inspection letter, using key lines of enquiry to ensure that publication meets certain minimum standards on accessibility, target setting etc. Also, the statutory BVPP requirement to insert a statement on contracts would be more relevant as a key line of enquiry in the annual Use of Resources assessment, more specifically the section dealing with systems of internal control.
49. An authority that wanted the abolition of the BVPP (but supported Government proposals if that did not happen) suggested that there was a need for further guidance on monitoring and reporting arrangements of LAAs and how this could be combined with BVPP arrangements.
50. TfL pointed out that in reference to the second bullet point in paragraph 12 of the consultation document, they would request that in accordance with Circular 2/2004 TfL is only required to publish BVPI outturn data and targets for the current year. They felt that as drafted, it would require TfL to publish targets for 2 subsequent years. They said that the extension should also apply to any subsequent categorisation following reassessment of the IPA, in the same way that it applied to other local authorities.
51. One respondent asked for clarification about whether they could follow the streamlined requirements for their June Performance Plan if their rating fell to 1 or 0 star following the December publication of ratings.

## Government response

52. *Respondents have suggested a number of fundamental changes to the BVPP arrangements. These are outside of the scope of statutory guidance, and would require primary legislation.*
53. *However, as signalled in the Government's March 2005 discussion document 'Securing Better Outcomes: Developing a New Performance Framework', consideration is being given, as part of the development of the new performance framework, to how local authorities should plan for continuous improvement and report on performance in the future. The responses to the consultation on this topic have been fed into that ongoing work on the performance framework.*
54. *Acknowledging TfL's response, the streamlined BVPP requirements for the GLA, TfL, LDA and LEPA will require these bodies to include targets for BVPIs for the current year only.*
55. *For clarification, we can confirm that should an authority migrate to 1 or 0 star up to six months before the next plan is due to be submitted, they will be able to continue with the streamlined requirements for that plan. Any authorities falling category over 6 months before the next plan is due to be submitted, however, will be required to submit the full plan.*

## Timetable for amendments

56. *Government will start work on amending legislation shortly, with the aim of having changes in place as soon as possible after Summer recess.*

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# ANNEX A

## List of respondents

### **Local Authorities**

Bolton Metropolitan Borough Council  
Birmingham City Council  
Blackburn With Darwen Borough Council  
Blackpool Council  
Bristol City Council  
London Borough of Bromley  
Buckinghamshire County Council  
Bury Metropolitan Borough Council  
London Borough of Camden  
Chichester District Council  
Cornwall County Council  
Derbyshire County Council  
Dorset County Council  
East Sussex County Council  
London Borough of Enfield  
Essex County Council  
London Borough of Hammersmith & Fulham  
Hampshire County Council  
London Borough of Harrow  
Hertfordshire County Council  
London Borough of Hillingdon  
Horsham District Council  
Leeds City Council  
London Borough of Merton  
Norfolk County Council  
North Tyneside Council  
North Yorkshire County Council  
Plymouth City Council  
Portsmouth City Council  
London Borough of Richmond Upon Thames  
Rotherham Metropolitan Borough Council  
Salford City Council  
South Norfolk Council  
South Tyneside Council

London Borough of Southwark  
Suffolk County Council  
Surrey County Council  
Trafford Metropolitan Borough Council  
Walsall Council  
London Borough of Waltham Forest  
West Berkshire Council  
Wigan Council

### **Fire Authorities**

Buckinghamshire & Milton Keynes Fire Authority  
Kent Fire & Rescue Service  
Merseyside Fire & Rescue Service

### **Regional Authorities & Functional Bodies**

Greater London Authority  
Transport for London

### **Local Government Representative Bodies**

Association of North East Councils  
County Council Network  
Local Government Association

### **Non-Departmental Public Bodies**

Audit Commission  
Confederation of Partners of Natural England (the Countryside Agency, English Nature, and Rural Development Service)

### **Special Interest Group**

British Horse Society

### **Professional Body**

Chartered Institute of Housing

### **Non Statutory Committee**

Rights of Way Review Committee

# ANNEX B

## CPA 2005 – Single & upper tier freedoms & flexibilities

Freedom	Transitional arrangements	4 star	3 star	2 star	1 star	0 star
<b>Exemption from requirement to produce a range of statutory plans:</b>						
Local Transport Plan & Bus Strategy	1-2 years	•				
Rights of Way Improvement Plan	1-2 years	•				
Air Quality Action Plan	1 year	•				
Joint Municipal Waste Strategy	2 years	•				
Children and Young People's Plan	Up to 1½ years	•				
Homelessness Strategy	1-2 years	•	•			
Youth Justice Plan	1 year	•	•			
Home Energy Conservation Report	1 year	•	•			
<b>Removal of ringfencing:</b>						
Removal of all DfES revenue ring fencing except for: – Grants passed to schools; – Sure Start; – School Improvement Partners (until 07/08, when it will become unfenced for 4 star).	1 year	•				
Removal of all DfES capital ring fencing	1 year	•	•			
Removal of all other revenue ring fencing except for Supporting People grant	1 year	•	•			
Removal of all other capital ring fencing	1 year	•	•	•		
<b>Streamlined Best Value Performance Plan requirements:</b>						
Freedom to provide only the minimum essential information for BVPPs, and to annex the information to annual corporate plans rather than producing a separate BVPP	6 months for 4, 3 or 2 star moving to either 1 or 0 star.	•	•	•		
<b>Fixed Penalty Notices:</b>						
Freedom over how to spend litter, dog-fouling, graffiti, flyposting, nuisance parking, abandoned vehicle fine income.	1 year	•	•	•		
Freedom over how to spend street parking fine income [not yet in place]	N/A	•	•	•		
<b>Power to Trade:</b>						
General power for local authorities to trade in function related activities	2 years	•	•	•	•	
<b>Innovation Forum:</b>						
Membership of the Innovation Forum	2 years	•				

# ANNEX C

## Current District Council freedoms & flexibilities

Freedom	Transitional arrangements	Excellent	Good	Fair	Weak	Poor
<b>Exemption from requirement to produce a range of statutory plans:</b>						
Air Quality Action Plan	1 year	•				
Joint Municipal Waste Strategy	2 years	•				
Homelessness Strategy	1-2 years	•				
Home Energy Conservation Report	1 year	•				
<b>Removal of ringfencing:</b>						
Removal of all revenue ring fencing	1 year	•				
Removal of all capital ring fencing	1 year	•	•			
<b>Streamlined Best Value Performance Plan requirements:</b>						
Freedom to provide only the minimum essential information for BVPPs, and to annex the information to annual corporate plans rather than producing a separate BVPP	6 months for Excellent, or Good moving to either Fair, Weak or Poor.	•	•			
<b>Fixed Penalty Notices:</b>						
Freedom over how to spend litter, dog-fouling, graffiti, flyposting, nuisance parking, abandoned vehicle fine income.	1 year	•	•			
Freedom over how to spend street parking fine income [not yet in place]	N/A	•	•			
<b>Power to Trade:</b>						
General power for local authorities to trade in function related activities	2 years	•	•	•		
<b>Innovation Forum:</b>						
Membership of the Innovation Forum	2 years	•				