

The King's Speech 2023

1 Executive summary

On 7 November 2023, King Charles III delivered his first official speech as monarch, setting out the Government's planned legislative agenda for the new parliamentary session.

The speech included 21 bills, ranging from anti-terror laws to rent reform.

Despite inclusion of some positive measures, the speech provided little comfort for beleaguered council services, which continue to face enormous pressure in dealing with the cost-of-living crisis, inflationary pressures on the cost of providing services and demand-side increases in adult and children's care services, alongside housing and homelessness.

2 Martyn's Law, aka The Terrorism (Protection of Premises) Bill

The Terrorism (Protection of Premises) Bill - otherwise known as Martyn's Law - moved ahead another step in the legislative process as the Bill was included in King's Speech.

The proposed Bill, named after 29-year-old Martyn Hett who was one of 22 people killed in the 2017 Manchester Arena attack, would require venues with a capacity of more than one hundred people and local authorities to draw up plans to prevent and respond to terrorist acts. These venues include stadiums, sports grounds, academic institutions, leisure centres, shopping centres, supermarkets, and tourist attractions. Martyn's Law will extend to and apply across the whole of the United Kingdom.

The Bill sets out two tiers for premises. Those with a capacity of 100-799 would fall into the standard duty tier, while those with a capacity of more than 800 would fall into the enhanced duty tier.

The standard tier will apply to public premises with a maximum capacity of 100 or more people, whilst the enhanced tier applies to public premises and events with a maximum capacity of 800 or more people. Limited exemptions to the capacity requirements apply to education establishments and places of worship. Guidance and training materials will also be available to premises with a capacity of under 100, should they want additional support.

Standard tier premises will be required to undertake basic, low-cost activities to improve their preparedness, including terrorism protection training and evaluating the best procedures to put in place in order to minimise impact.

Enhanced tier premises and events have further requirements in recognition of the potential consequences of a successful attack. This will include appointing a designated senior officer who must regularly review the security of the venue.

The cost of implementing the proposals for standard tier premises has been estimated to be £2,160 over a ten-year period, while the cost for an enhanced premises could cost £82,325 over ten years. But it has been announced a consultation will be held to 'ensure the Bill's measures strike the right balance between public protection and avoiding undue burdens'.

Published guidance read, 'The Government wants to ensure businesses and venues can deliver the standard tier duty rather than imposing conditions upon them that they will struggle to meet'.

3 The 'Automated Vehicles Bill'

Originally introduced as a measure within the Queens speech 2022, the Automated Vehicles Bill returns to the Commons seeking to introduce the legal frameworks to support the safe commercial development of self-driving vehicles.

The majority of the measures within the Bill will extend and apply to Great Britain. England and Wales. The exception to this is the Digitalising Traffic Regulations Order measure which applies only to England.

The main item effecting local authorities is the Digitalisation of Traffic Regulation Orders (TROs). Whilst many authorities have already digitalised this information, a central accessible register is required to allow self-driving vehicles to observe speed limits, avoid weight restrictions and respect parking conditions.

The Government notes that 88 per cent of accidents currently involving human error and the potential for automated vehicles to reduce costs, injuries, and fatalities is enormous. Institute for Engineering and Technology research suggests that for every 10,000 errors made by drivers, a self-driving vehicle will make just one.

Various claims are made about the economic benefits and jobs generated however logic would suggest that taxi driving and logistics jobs would disappear rapidly over the next 10 years if self-driving vehicles are successful.

The Automated Vehicles Bill will set a framework for self-driving vehicles with safety at its core, including:

- **Setting a threshold for self-driving vehicles in law** - only DfT authorised vehicles that can drive themselves safely and follow all road traffic rules without any human monitoring or control will be classified as self-driving. This will also clamp down on misleading marketing, only vehicles that meet these standards can be advertised as self-driving.
- **Holding companies accountable once vehicles are on roads** – they will have to meet safety requirements from the point a vehicle is introduced onto our roads or face new sanctions and penalties.
- **Investigate and learn from incidents** - incidents involving self-driving vehicle will be investigated and inform the safety framework.
- **Digitalise Traffic Regulation Orders (TROs)** - local authorities will be required to send the legal orders they make (e.g. speed limits and road closures) to a central publication platform, creating a digital map of the road network to support self-driving vehicles.

- **Create new organisations responsible for self-driving** – companies will be required to report certain safety comply with other relevant laws, including data protection and environmental legislation.
- **Protect users from being unfairly held accountable – giving** immunity from prosecution to people when a self-driving vehicle is driving itself. Non-driving responsibilities, such as having appropriate insurance and proper loading will remain.

4 Leasehold and Freehold Bill and the Renters (Reform) Bill

In the introduction to the King’s Speech 2023 the Prime Minister set out plans to strengthen the rights of homeowners and renters through the Leasehold and Freehold Bill, and the Renters (Reform) Bill.

Leasehold and Freehold Bill

The Leasehold and Freehold Bill seeks reforming the housing market by making it cheaper and easier for leaseholders to purchase their freehold and to tackle exploitation. It will apply to England and Wales.

The Bill will seek to make it cheaper and easier for existing leaseholders to extend their lease or buy their freehold, as well as increasing the standard lease extension term from 90 years to 990 years for both houses and flats. Consumer rights for leaseholders will be improved by increasing transparency, making the process of buying or selling a leasehold property easier, and removing exorbitant charges. The creation of new leasehold houses will also be banned in England and Wales.

The Renters (Reform) Bill

The Renters (Reform) Bill is being introduced with the aim of providing renters with the stronger security of tenure and better value for money, while landlords will benefit from

stronger powers to evict anti-social tenants.

'No fault evictions' will be abolished – although this will not commence until stronger possession grounds for landlords (e.g. for serious rent arrears by tenants) and a new court process is in place. Blanket bans on pets will be ended, along with the introduction of a new Private Rented Sector Ombudsman, a digital Private Rented Property Portal, and greater enforcement action against criminal landlords.

Support for landlords will include a speeding up of the court process to regain possession of their property if a tenant refuses to move out (in line with the abolition of 'no fault' evictions), as well as scrapping proposals to require landlords to meet the Energy performance certificate of C from 2025 in their rented properties.

5 Offshore Petroleum Licensing Bill

The Offshore Petroleum Licensing Bill is new legislation which will require annual oil and gas licensing rounds. The Bill amends the Petroleum Act 1998 to:

Duty to invite applications for seaward area production licences

- (1) The OGA must, in each relevant year, decide whether the following tests are met in relation to that year—
 - a. the carbon intensity test
 - b. the net importer test.
- (2) If the OGA decides that both tests are met it must, during the relevant year, publish an application notice inviting applications for a seaward area production licence in respect of at least one block.

The carbon intensity test is met in relation to a relevant year if the carbon intensity of domestic natural gas produced during the assessment period is lower than the carbon intensity of liquefied natural gas imported into the United Kingdom during that period.

The net importer test is met in relation to a relevant year if—

- a) the amount of domestic natural gas produced during each calendar year of the assessment period is expected to be less than the demand for natural gas in the United Kingdom during that calendar year, and
- b) the amount of domestic crude oil and domestic natural gas liquids produced during each calendar year of the assessment period is expected to be less than the demand for petroleum products in the United Kingdom during that calendar year.

This Act extends to England and Wales, Scotland and Northern Ireland.

A Government press release has described the Bill as safeguarding homegrown energy supply and supporting UK production. It also states that the "Bill will provide certainty and investor confidence for oil and gas industry, supporting 200,000 jobs across the UK and adding £16 billion to the economy each year."

The legislation will require annual oil and gas licensing rounds subject to stringent new emissions and imports tests.

The Government press release also stated:

"Supporting continued production in the UK will also reduce reliance on higher-emission imports – with domestic gas production having around one-quarter of the carbon footprint of imported liquefied natural gas."

"The sector is also playing an important role in helping the UK reach the net zero target by drawing on existing supply chains, expertise and key skills – needed for low-carbon industries such as tidal power, offshore wind, and carbon capture and storage."

Secretary of State for Energy Security and Net Zero Claire Coutinho said:

"The UK has cut its emissions faster than any of its peers. But as the independent Climate Change Committee acknowledges we will need oil and gas even after we reach

net zero in 2050.”

“As energy markets become more unstable it’s just common sense to make the most of our own homegrown advantages and use the oil, gas, wind and hydrogen on our doorstep in the North Sea. Rather than importing dirtier fuels from abroad, we want to give industry the certainty to invest in jobs here and unlock billions of pounds for our own transition to clean energy.”

6 APSE Comment

Whilst the Renter’s Reform Bill is welcome, providing better protection for renters through the removal of no-fault evictions, it is imperative that the Government takes urgent action to ensure that the reforms happen at pace. Councils are carrying the burden of a weak enforcement framework and currently pick up the social and economic costs of homelessness.

Martyn’s Law will also be welcomed by councils concerned by the need to keep communities safe whilst enjoying public venues. In recent years, councils have expanded their own venue use for income generation so it is imperative that, as both venue providers and guardians of the local community, the implementation of Martyn’s Law in protecting the public is measured and proportionate. APSE awaits the consultation outcome with interest.

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