

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

LOCAL AUDIT (PUBLIC ACCESS TO DOCUMENTS) BILL

First Sitting

Tuesday 7 February 2017

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CLAUSES 1 and 2 agreed to.
Bill to be reported, without amendment.

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Saturday 11 February 2017

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The Committee consisted of the following Members:*Chair:* NADINE DORRIESCarswell, Mr Douglas (*Clacton*) (UKIP)† Colvile, Oliver (*Plymouth, Sutton and Devonport*)
(Con)Harris, Carolyn (*Swansea East*) (Lab)† Harris, Rebecca (*Castle Point*) (Con)† Kennedy, Seema (*South Ribble*) (Con)McMahon, Jim (*Oldham West and Royton*) (Lab)Mackinlay, Craig (*South Thanet*) (Con)† Morton, Wendy (*Aldridge-Brownhills*) (Con)† Murray, Mrs Sheryll (*South East Cornwall*) (Con)† Percy, Andrew (*Parliamentary Under-Secretary of
State for Communities and Local Government*)Pound, Stephen (*Ealing North*) (Lab)† Sandbach, Antoinette (*Eddisbury*) (Con)† Saville Roberts, Liz (*Dwyfor Meirionnydd*) (PC)Smeeth, Ruth (*Stoke-on-Trent North*) (Lab)Twigg, Stephen (*Liverpool, West Derby*) (Lab/Co-op)† Whittaker, Craig (*Calder Valley*) (Con)Glenn McKee, *Committee Clerk*† **attended the Committee**

Public Bill Committee

Tuesday 7 February 2017

[NADINE DORRIES *in the Chair*]

Local Audit (Public Access to Documents) Bill

9.30 am

The Chair: Welcome to this Public Bill Committee on the Local Audit (Public Access to Documents) Bill. I have a few preliminary announcements. Please switch electronic devices to silent. Tea and coffee are not allowed during sittings. No amendments have been tabled to the Bill, so we begin with a debate on clause 1, but I suggest that Committee members make any remarks about clause 2 during this debate. In other words, we will have a general debate about the contents of the Bill on the question that clause 1 stand part of the Bill. If the Committee is content with that suggestion, I will put the question that clause 2 stand part of the Bill formally once we have completed consideration of clause 1, on the basis that clause 2 will already have been debated. Is that agreeable? [HON. MEMBERS: "Yes."] Thank you.

Clause 1

INSPECTION OF ACCOUNTING RECORDS BY JOURNALISTS
AND CITIZEN JOURNALISTS

Question proposed, That the clause stand part of the Bill.

Wendy Morton (Aldridge-Brownhills) (Con): It is a privilege to serve under your chairmanship, Ms Dorries, and to have the benefit of your expertise and good guidance. I thank hon. Friends and hon. Members for attending this sitting, and hope that they can continue to support this Bill on its passage through this House. I especially thank the Minister, for representing the Government today in lieu of his colleague, the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Nuneaton (Mr Jones), who I believe is in another Committee. I believe that a number of years ago, before entering this place, my hon. Friend the Minister served as a councillor on Hull City Council, and I am sure that his experience will be of great use today and will serve us well.

We had a very good debate on the Bill on Second Reading, so I do not intend to take up too much of your time today, Ms Dorries. The Bill is short and sweet, with only two clauses in total. It seeks to give journalists and citizen journalists—that is, bloggers and others who scrutinise local authorities, but who may not be accredited members of the press—the same rights of inspection as interested persons under section 26(1) of the Local Audit and Accountability Act 2014. It will require relevant authorities—other than health service bodies—as defined in that Act to make available for inspection the accounting records and supporting documents for such an authority for the audit year.

The Bill's purpose is simple: it seeks to enable such persons to access a wider range of accounting material, so that they can report and publish their findings, making them available to local electors, thus providing

them with information enabling them better to hold their local council to account for their spending decisions, by either questioning the auditor or objecting to those accounts. Let me make it clear that the Bill will not enable journalists to question the auditor or object to those accounts, unless of course they are also a local government elector for the area.

I do not want to repeat all the points made on Second Reading, as the responses received then were comprehensive and covered all the issues raised. However, if anybody wishes to ask a question, I will be more than happy to answer it this morning. Besides, the Minister who has responsibility for local growth and the northern powerhouse, wishes to say a little about the Bill, and perhaps to touch on the consultation that has taken place since Second Reading.

The Parliamentary Under-Secretary of State for Communities and Local Government (Andrew Percy): It is a pleasure to serve under your chairmanship, Ms Dorries, on my first—and possibly last, depending on how well this all works out—Bill Committee as a Minister. I apologise for the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Nuneaton, who is on a Bill Committee just a couple of Committee Rooms away. It is a pleasure to respond to my hon. Friend the Member for Aldridge-Brownhills this morning. She has already done far more than I managed to do in my six and a half years as a Back Bencher in successfully—hopefully—getting a Bill through this House, and I congratulate her on that. She is right to say that I served as a local councillor; I was also a parish councillor for the village of Airmyn, so this is a matter in which I have some interest from my previous role.

I am delighted to support the Bill on behalf of the Government and congratulate my hon. Friend on steering the Bill successfully thus far. I am reminded of Margaret Thatcher, who in her maiden speech introduced the Public Bodies (Admission to Meetings) Act 1960, which was in a similar vein; it was about opening up local government to journalists and other interested parties. In that respect, my hon. Friend is very much channelling Margaret Thatcher with the Bill. Conservatives will be happy with that, but I am not sure whether the hon. Member for Dwyfor Meirionnydd is quite so pleased.

As my hon. Friend the Member for Aldridge-Brownhills said, this small amendment could increase town hall accountability and ensure that councillors are responsible for their spending decisions. As she also said, we held a consultation with a range of interested parties, including the Information Commissioner, the National Association of Local Councils, the Society of Local Council Clerks, the National Union of Journalists, the News Media Association, local authority treasurers' societies, Public Sector Audit Appointments, and Smaller Authorities Audit Appointments. The majority of respondents were able to support the Bill's intentions, but two key issues—whether the Bill's provisions excluded the very smallest parish councils, and more generally whether the potential cost on local government was onerous—arose during the process that we have considered further, and I should like to put them on record.

As I have said, I served on a very small parish council with a very small budget. During the consultation, we engaged with stakeholders on whether the Bill would grant journalists inspection rights in respect of the very smallest parish councils, by which I mean those with

annual turnover of £25,000 or less. Our conclusion is that journalists will have those rights through the Bill. The smallest parish councils are therefore included in the legislation rather than excluded, as we originally thought. That raises the question of whether that is onerous or burdensome for those small parish councils. We have concluded that amending the Bill to exclude those smaller authorities would likely have a limited impact, and is therefore unnecessary. In response to the consultation, the Society of Local Council Clerks stated that

“having a different range of people having inspection rights at bodies under £25,000 compared to those over £25,000 might create confusion, particularly for clerks who serve several councils of differing sizes”.

It is not unusual for a parish council clerk to be clerk to a number of different local parish councils of various sizes. Consequently, we are content that smaller parish councils will be within the scope of the Bill.

With regard to the potential cost of extending inspection rights to a large group of people with no local connection to the area, I can assure the Committee that we have investigated the extent to which current rights are exercised. In 2015-16, it would seem that local electors exercised their rights over a total of 11,000 bodies only around 65 times. Although those rights are to question and make objections to the auditor, rather than broader inspection rights offered to interested parties, it is clear that this set of public rights is not used to any great extent, so it is not particularly burdensome on authorities.

Furthermore, in its response to our informal exercise, the Society of Local Council Clerks, which represents around 5,000 parish clerks, reported that its members had not experienced a high level of interest in their accounting records. I can attest to that, because journalists from around the country did not swoop down on the accounting records of Airmyn parish council, important though it is to have the power to do so. Only around 5% of the 562 attendees at 10 SLCC regional events last year had ever had someone exercise their inspection rights. A significant proportion of those inspections—perhaps a third—were by former councillors. That would seem to bear out our view that the number of requests to inspect is relatively low.

The changes are therefore not burdensome. They are important, in terms of making good on the Government’s intention of increasing local transparency and accountability. This is an excellent Bill. I congratulate my hon. Friend on securing such support so far, and on her handling of the Bill at its various stages. I commend the Bill to the Committee.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Bill to be reported, without amendment.

9.41 am

Committee rose.

