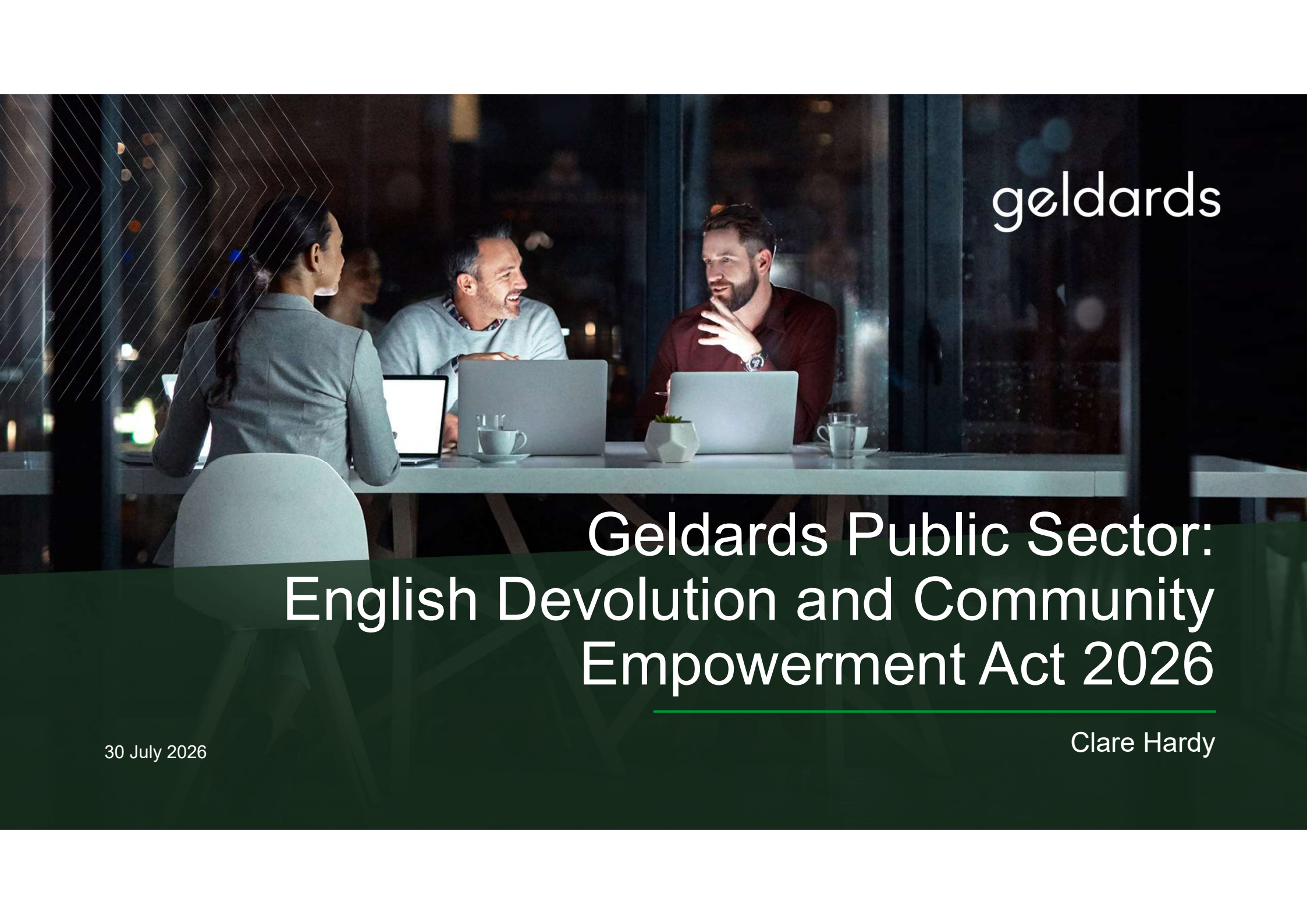


A photograph of three people (two men and one woman) sitting at a long table in a modern office or cafe at night. They are all looking at laptops. The woman is on the left, wearing a grey blazer. The man in the middle is wearing a light blue sweater. The man on the right is wearing a dark red shirt and is gesturing with his hand while talking. There are coffee cups and a small potted plant on the table. The background shows a large window with a view of city lights at night. The word 'geldards' is written in white lowercase letters in the top right corner.

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Geldards Public Sector: English Devolution and Community Empowerment Act 2026

30 July 2026

Clare Hardy

Agenda

- Overview of English Devolution and Community Empowerment Act 2026
- Establishment and power of strategic authorities
- Local authority governance arrangements
- Assets of community value

English Devolution and Community Empowerment Act 2026

- Made 29 April 2026
- Part 1 – Strategic Authorities
- Part 2 – Functions of Strategic Authorities and Mayors
- Part 3 – Other measures about local authorities and police and crime commissioners
- Part 4 – Local audit
- Part 5 – Business tenancies
- Part 6 – Final Provisions
- 37 schedules

Strategic authorities

- Foundation strategic authority – single or combined
- Mayoral strategic authority – including established mayoral strategic authority

Mayoral Strategic Authority

- Mayoral combined authority
- Mayoral combined county authority
- Greater London Authority

Established mayoral strategic authority

- Designated by order under s.106B Local Democracy, Economic Development and Construction Act 2009
- Designated by regulations under section 25A Levelling Up and Regeneration Act 2003
- Greater London Authority
- Secretary of State may not designate an authority as established mayoral strategic authority unless the authority submits a proposal

Areas of competence

- Transport and local infrastructure
- Skills and employment support
- Housing and strategic planning
- Economic development and regeneration
- The environment and climate change
- Health, well-being and public service reform
- Public safety
- Culture
- Rural affairs and coastal communities

Commissioners

- Power for mayors to appoint up to 10 commissioners to assist in exercise of functions relating to areas of competence
- Commissioner's terms and conditions of appointment must require commissioner to work in one area of competence
- Commissioner's work may relate incidentally to other areas of competence or matters outside areas of competence
- Functions may be delegated to commissioners, subject to limitations

Amendments to powers and duties

- Application of local government powers
 - General power of competence
- Power to encourage visitors
- Public safety responsibilities
- Duty to have regard to need to improve health and reduce health inequalities
- Power to propose changes to secure effective exercise of functions

Amendments to powers and duties

- Power to convene meetings with local partners
- Duty to collaborate with other mayors

Amendment of existing legislation applying to combined authorities and combined county authorities

- English Devolution and Community Empowerment Act 2026 (Consequential Amendments and Revocations) (England) Regulations 2026
- Amend and revoke provisions in secondary legislation which duplicate or contradict English Devolution and Community Empowerment Act 2026 on functions and governance of combined authorities and combined county authorities

Local government reorganisation

- Power for Secretary of State to invite or direct authorities to make proposals for merger of existing single tiers of local government

Local authority governance

- Prohibition on introduction of new committee system
- Prohibition on introduction of new mayor and cabinet arrangements
- Duty for local authorities operating leader and cabinet executive to retain that form of governance

Local authority governance

- Local authorities with protected committee system may continue with that system but must conduct review within a year of end of relevant protection period
- Local authority with unprotected committee system must change within a year of s.61 coming into force

Effective neighbourhood governance

- Duty for local authority to make appropriate arrangements to secure effective governance of neighbourhood areas
- Must engage with parish councils about parish representation
- “Appropriate arrangements” to be specified in regulations. May include:

Effective neighbourhood governance

- “Appropriate arrangements” to be specified in regulations. May include:
 - Establishment and maintenance of specified organisational structures
 - Number, membership, funding and review
 - Functions
 - Activities for the purpose of ensuring local engagement

Residential addresses of members

- Amendment of Local Government Act 1972 and Localism Act 2011
- Member may request that residential address is not included in public register of interests

Assets of community value

- Amendment of Part 5 of the Localism Act 2011
- Local authority must maintain list of assets of community value and list of land nominated by unsuccessful community nominations
- List must include categories of sporting assets of community value and assets supporting assets of community value

Assets of community value

- Sporting assets of community value and assets supporting assets of community value to remain on list indefinitely
- Other assets of community value to be removed from list after 10 years

Land of community value

- Land in local authority's area in respect of which local authority considers:
- Current use furthers economic or social wellbeing or economic and social interests of local community and it is realistic to think there can continue to be use furthering economic or social wellbeing or economic and social interests of local community; or
- Past use furthered economic or social wellbeing or economic and social interests of local community and it is realistic to think there will be a time in next five years when use furthers economic or social wellbeing or economic and social interests of local community

Sporting asset of community value

- Land of community value which in the opinion of the local authority comprises a sports ground within the meaning of Safety of Sports Grounds Act 1975

Community nominations

- Parish council or voluntary or community body may nominate land as asset of community value
- Local authority must consider nomination
- Local authority must accept nomination if
 - Land is in authority's area and
 - Is of community value
- Local authority must consider whether land on its list is a sporting asset of community value

Notice of inclusion or removal

- Local authority must if reasonably practicable give notice of inclusion in or removal from list to:
 - Owner of land
 - Occupier
 - Person who made a community nomination
 - Any person specified in regulations
- Notice of removal must be given at least six months before removal

Right to request review

- Owner of land may ask local authority to review decision to include land in list or to include land in category of sporting asset of community value
- Voluntary or community body who made a nomination may ask local authority to review decision not to include land in list

Publication and inspection of lists

- Local authority must publish list of assets of community value and list of unsuccessful community nomination
- Lists must be available for inspection
- Local authority must provide one copy free of charge to person who requests it

Obligations when making relevant disposals

– some key definitions

- relevant disposal:
 - Disposal of freehold estate with vacant possession
 - Grant or assignment of qualifying leasehold estate with vacant possession
- Relevant disposal made pursuant to binding agreement is entered into when agreement becomes binding
- qualifying leasehold estate: an estate by virtue of a lease for a term which, when granted, had at least 25 years to run

Obligations when making relevant disposals

– some key definitions

- preferred community buyer:
 - Nominating community group if it gives written notice of intention to buy land within notification period
 - Alternative community group
- alternative community group: Community interest group who gives written notice within period for expressions of interest of intention to buy land

Obligations when making relevant disposals

– some key definitions

- permitted sale period: 18 months beginning with date when notice of wish to enter into a relevant disposal was given
- notification period: 6 weeks beginning with date when nominating community group received notice of intended relevant disposal
- period for expressions of interest: 8 weeks beginning with date when local authority updates list to include details of notice of intended relevant disposal

Obligations when making relevant disposals

– some key definitions

- negotiation period: 8 weeks beginning with date when notice was given to land owner of nominating community group or alternative community group
- appointment period: 14 days beginning with the end of the negotiation period
- offer period; 12 months beginning with the date when notice of intended disposal was given to the local authority

Obligations when making relevant disposals

– some key definitions

- progress requirements: requirements relating to each review period as are specified in regulations
- notice date: Date when notice of intended relevant disposal was given to local authority
- 16 week review period: 16 weeks beginning with notice date
- 6 month review period: 6 months beginning with notice date
- 12 month review period: 12 months beginning with notice date
- Review period: 16 week review period, 6 month review period or 12 month review period

Obligations when making relevant disposals

– Notice to local authority

- Owner must give local authority written notice of intended relevant disposal
- Owner may not make a relevant disposal except to preferred community buyer unless:
 - There is no preferred community buyer
 - The preferred community buyer does not meet progress requirements after any review periods or
 - The preferred community buyer does not offer to buy the land at the price agreed with the owner by the end of the negotiation period and does not offer to buy the land at the value price within the offer period

Obligations when making relevant disposals

– Publicising receipt of notice

- Local authority must update list to include details of notice of intended relevant disposal, including:
 - That notice has been received
 - Date of receipt of notice
 - End of permitted sale period and notification period
- Local authority must give written notice to:
 - Person who made community nomination
 - MP whose constituency includes any part of the land
 - Councillor for any electoral areas in which part of the land is situated
- Local authority must make arrangements to publicise these matters in their area

Obligations when making relevant disposals

- Notice of preferred community buyer

- If nominating community group gives written notice to local authority within the notification period of its intention to buy land local authority must:
 - Give written notice to owner
 - Include this information in the entry in the list
- In other cases local authority must give written notice to owner:
 - Of name and address of alternative community group or
 - That there is no alternative community group

Obligations when making relevant disposals

– offer from preferred community buyer

- If there is a preferred community buyer local authority must as far as reasonably practicable arrange a meeting between owner of land and preferred community buyer
- If at the end of the negotiation period the preferred community buyer has not offered to buy land at a price agreed with the owner local authority must by the end of the appointment period appoint an authorised officer to assess the value of the land
- Expense of valuation must be met by local authority

Obligations when making relevant disposals

– offer from preferred community buyer

- Valuer must determine market value by the end of period of 8 weeks beginning with date of valuer's appointment
- Valuer must give written notice as soon as reasonably practicable to owner and preferred community buyer
- If preferred community buyer wishes to buy the land they must by the end of the offer period offer to buy it at the value price

Obligations when making relevant disposals

– Progress requirements

- If land is sporting asset of community value which can accommodate over 10,000 people and owner makes request in writing local authority must determine whether at the end of the 16 week review period the preferred community buyer has met progress requirements
- For other assets of community value where owner makes request in writing local authority must determine whether at the end of the 6 month review period the preferred community buyer has met progress requirements
- Local authority must determine whether at the end of the 12 month review period the preferred community buyer has met progress requirements
- Local authority must as soon as reasonably practicable give written notice of determination to owner and preferred community buyer

Compensation

- Power for Secretary of State to make regulations providing for payment of compensation

Duty to co-operate

- If different parts of land are in different local authority areas local authority areas must co-operate with each other on carrying out functions relating to assets of community value

Questions

Local government reorganisation: Practical guidance webinar series

Join us, for our new three-part series on the recent local government reorganisation guidance.

Part 1: Wednesday 5th August 2026 – 14:30 – 15:30

- In the first webinar, we will provide an overview of local government reorganisation, including the rationale behind the changes, the latest guidance, and what the reforms could mean for councils and communities.

Part 2: Thursday 20th August 2026 – 10:00 – 11:00

- In our next session we will explore the practical and legal considerations involved in implementing LGR, including Directions under section 24 of the Local Government and Public Involvement in Health Act 2007, agreements under section 16, inter-authority agreements, and the management of contractual and corporate matters.

Part 3: Thursday 3rd September 2026 – 10:00 – 11:00

- In our final webinar, we will explore key people, governance, and organisational considerations associated with LGR, including employment matters, wider governance arrangements, and how to establish a strong culture for the new authority from day one.

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Thank You

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