



13 July 2004

Dear Colleague,

CIVIL CONTINGENCIES BILL: LORDS SECOND READING

The Civil Contingencies Bill had its Second Reading in the House of Lords on Monday 5 July. Second Reading is the point at which the House considers the general principle of the Bill, and the debate therefore focused on the underlying intentions and merits of the Bill in general terms, rather than a detailed clause-by-clause analysis.

Encouragingly almost all peers were supportive of the Bill, emphasising the need to modernise the legislation in this area. They also welcomed the open and consultative way in which the Government had developed this legislation, underlining the value that the public consultation and pre-legislative scrutiny processes had added.

The debate at Second Reading replayed a number of issues that had been prominent in the deliberations of the House of Commons. The key issues on Part 1 of the Bill were:

- Role and contribution of the voluntary sector;
- Funding – particularly for local authorities;
- Performance management and audit;
- The role of central government and the regional tier; and
- Role and membership of Category 2.

Peers also discussed Part 2 of the Bill, which relates to the emergency powers framework. As in the House of Commons, the debate focused on:

- Definition of emergency;
- Scope and possible uses of emergency powers; and
- Safeguards to prevent the misuse of emergency powers.

There was also significant discussion of the Government's wider resilience agenda, including:

- Role of the military in civil emergencies;
- Preparations and exercising in central government;
- Provision of information to the public; and
- Government spending in the area of resilience.



The next step in the process will be Committee Stage, which will comprise a number of sessions of detailed clause by clause analysis of the Bill. The precise time scales for the remaining stages of the Parliamentary process are not yet clear, but it looks increasingly likely that we will not move to Committee Stage until after the summer recess.

We remain on track to gain Royal Assent during this parliamentary session, and expect to achieve Royal Assent around November. Work is also progressing well on revising the draft regulations and developing guidance under the Bill. We remain on track to consult on the content of the draft regulations and guidance shortly after Royal Assent. In Scotland a similar exercise is taking place to take account of its devolved arrangements. The Scottish Executive too remains well placed to consult on the draft regulations soon after Royal Assent.

Resilience funding

Colleagues will no doubt be aware that the results of the 2004 Spending Review were published yesterday. The Government announced that it will be doubling its contribution to the cost of local authorities' resilience activities. The Government is providing £40.5m for England and Wales for each of the 3 years covered by the Spending Review – 2005/6, 2006/7 and 2007/8. The Chancellor of the Exchequer said in his Spending Review announcement: "...we are establishing and funding a new framework of civil protection with a doubling of current provision for local authority emergency planning".

We understand that local authority emergency planners will be eager to know what this means for them. However, assuming that we are able to transfer this funding to the mainstream Revenue Support Grant for 2005-6, the figures for individual local authorities will only become available towards the end of the year. They would be announced as part of the provisional local government finance settlement, which provides the detail on the Government's proposals for Formula Spending Shares (FSS) to each local authority.

Increased spending on the Government's wider resilience agenda was also a headline theme of the Spending Review announcement. The Chancellor said: "Before September 11th, spending on security at home was £950 million a year. Having agreed a set of reforms that modernise our border security, our counter terrorism capabilities, our radio communication systems, our arrangements in respect of nuclear and chemical decontamination, and added 1,000 staff to our intelligence services, overall security spending will rise from £950 million in 2001 and £1.5 billion this year to reach, by 2007-08, £2.1 billion - a 10 per cent annual average real terms rise". In addition to the resources provided in the Spending Review 2004, the Government plans to create a counter-terrorism Pool for 2005-6, which will be used to fund one off pressures which emerge outside of the Spending Review.

Spending on civil contingencies planning in Scotland is a matter for Scottish Ministers. Scottish Ministers will announce their decisions on the allocation of resources for all devolved matters for future years in September

As before, we would be very pleased to receive any feedback you have on this bulletin. If you have got any questions or queries about any aspect of this letter, please contact the Bill Team at ccbill@cabinet-office.x.gsi.gov.uk.

ROGER HARGREAVES



INVESTOR IN PEOPLE

Head of Civil Contingencies Bill Team

