

LGA Environment Board

5 July 2010, Shaftesbury Suite, Bournemouth Highcliff Marriot Hotel

Note of Decisions Taken and Actions

Present

Chair:	Cllr Gary Porter (South Holland DC)
Vice-Chair:	Cllr Linda Thomas (Bolton MBC)
Deputy Chairs:	Mayor Dorothy Thornhill (Liberal Democrat, Watford BC); Cllr Mike Haines (Independent, Teignbridge DC)
Conservative:	Cllr Andrew Gravells (Gloucestershire CC and Gloucester City); Cllr Peter Britcliffe (Hyndburn BC); Cllr Clare Whelan (Lambeth LBC); Cllr Jason Stacey (Ealing LBC)
Labour:	Cllr Derek Bateman (Cheshire West and Chester Council); Cllr Tony Newman (Croydon LBC); Cllr Ed Turner (Oxford City Council)
Lib Democrat:	Cllr Paula Baker (Basingstoke and Deane BC)
Apologies:	Cllr David Potts (South Tyneside MBC); Cllr Berni Turner (Liverpool City Council)
LGA Group Officers:	Martin Wheatley; Russell Reefer; Caroline Green; Clive Harris; Fatima de Abreu
Observers:	Mike Holmes, (Bournemouth BC); Terry Huggins (Chief Executive, South Holland DC)
Guest Speaker: (post-Board meeting)	Joanna Averley (Commission for Architecture and the Built Environment, CABE) (Presentation available at Annex A)

1. Welcome and Introductions

Cllr Porter welcomed Members to the meeting and introduced Terry Huggins (Chief Executive, South Holland DC) and Mike Holmes, (Bournemouth BC).

2. The Decentralisation and Localism Bill

- Martin Wheatley (LGA) introduced the discussion, noting that details of the Bill had been circulated to all Boards for comment at the request of the LGA Executive.

A number of comments were made:

- Welcome devolution of decision-making could not be looked at in isolation from the Government's decisions, already announced and in prospect, on public spending. Some Members expressed strong concern about the impact of these:
- There is a need to ensure that local referenda don't duplicate or bypass the role of local government. Councils would also need to be sufficiently resourced to administer referenda;
- Members felt that clarification was needed on the difference between the powers of general competence and the existing wellbeing power;
- This was a good opportunity for the LGA to push for a positive balance between good governance and centralised additional burdens to councils;

- Regulatory issues that prevent councils from raising additional money need to be addressed.

Decision

- The Board **agreed** that Members and officers work to influence drafting of the Bill, to best reflect the needs of local authorities.

Actions

- Officers to circulate a document setting out how the proposed power of general competence differs from the wellbeing power.

Clarissa Corbisiero/Clive Harris

3. Planning Reform

Caroline Green (LGA) briefed Members on the coalition government's proposals for reform of the planning system. She explained that the focus of these proposals was to remove central prescription from the planning system, support more engagement in decision-making, provide more flexibility for development where it is supported by the community and restrict the involvement of planning inspectors to matters of process.

The Boards' views were invited on the LGA Group's proposed policy positions and their role within the new framework. Members discussed each issue as follows:

Regional and Local Planning -. There was broad support for the commitment to a more localised approach to planning. The chair encouraged members to view the reform as an opportunity to plan locally for development that is required and aspired to locally. Members emphasised the need for councils to work together in partnership to strategically plan for infrastructure and development at a higher level than the individual district. It was also stressed that councils should not be forced to abandon their LDFs or elements of regional plans that remained useful and relevant. It is also important that councils continue to have access to evidence base and research conducted at regional level to inform local and strategic plans. There were concerns about resource implications of proposals for greater community engagement and questions about how the term "neighbourhood" should be defined. It was suggested that the definition of neighbourhood and the best way to engage communities should be defined locally. Members suggested provision of training for elected members to support them in the new regime.

Major Infrastructure / Infrastructure Planning Commission (IPC) -

Members **agreed** with the proposed position, subject to sufficient resources being available to enable councils to play an effective role in representing community interests in the Major Infrastructure process. The LGA has previously proposed that these costs should be met by project promoters.

Reforming the Community Infrastructure Levy (CIL) – Members raised issues of how development tariffs would be divided between districts and counties in two tier areas. They also highlighted the importance of councils' ability to continue to secure Section 106 contributions and argued for these to be determined locally.

Presumption in favour of sustainable development – Members felt that this

needed to be properly defined as interpretations were unclear.

Strengthening enforcement / Compulsory pre-application discussions –

Members discussed enforcement issues and **agreed** that local authorities' need a stronger role in ensuring correct planning procedures are followed and tackling those who rely on retrospective planning permissions.. Members considered wider pre-application discussions, but felt that making this should be a matter for local discretion as compulsory pre-application processes would be disproportionate in some cases and could create delay in decision-making.

Appeals reform – Members emphasised the importance of a good appeals system, and although there were some concerns raised about potential delays caused by 3rd party right to appeal, they were keen to point out that an appeals mechanism is an essential requirement of a democratic process.

Flexible Zoning / Use Classes Order – Members were concerned with repercussions for the wider community if zoning led to complete removal of council control over use class. It was suggested that the LGA should argue for councils to be able to decide on appropriate use of Use Class Orders and zoning locally.

Schools – Members **agreed** the LGA position, and noted the need to work together with central government to communicate the importance of ensuring that planning decisions on schools were integrated with local planning policy due to the significant impact schools have on supporting infrastructure and communities.

Traveller sites

The Board spoke briefly about councils' requirement to identify and volunteer sites for travellers, and the need to be flexible in addressing issues around this. Members were reminded that, although funding was no longer available, the duty to provide sites according to identified need remains.

Decision

- Members noted the report and agreed proposed positions subject to the comments noted above.

Action

- Officers to arrange a session with the Environment Board Planning Portfolio holders to discuss the government's proposals in more detail and further develop the LGA's position.
- Officers to pursue with CLG a process for Members to have direct involvement in shaping Government policy on the new planning framework.

Caroline Green / Russell

Reefer

4. Waste Review: LGA Policy Position

Cllr Clare Whelan declared an interest as a member of WRAP's Board of Directors.

Clive Harris (LGA) said that positive meetings between the LGA Chairman and the Defra Secretary of State, Caroline Spelman MP had taken place and that Defra were keen to work closely with the LGA and local authorities on their

review of waste policy.

Members said that finding mechanisms to drive down all waste and raise revenue for funding investment in infrastructure were important issues.

Decision

- Members **agreed** the LGA's new waste policy position as set out in the paper.

5. Housing

The main points raised in discussion were as follows:

- The need to identify the likely impact on private and social landlords, and hence the availability and affordability of homes;
- The importance of securing self-financing on sustainable financial terms;
- The future of social housing regulation, including the maintenance of lender confidence in housing associations, and the scope for a more localised approach to driving performance and improvement in consultation with tenants.

Decision:

- The Board **agreed** the positions on key policy issues set out in the report.

Action:

- LGA Officers to seek nominations from Lead Members to join a Housing Benefits Task Group. **Fatima de Abreu**
- LGA Officers to invite the Housing Minister, Grant Shapps MP to attend a future meeting of the Board. **Clive Harris**

6. Update on other Board Business

Members received the reports to the LGA Executive for June, and Annexes A and B.

Decision:

The Board **noted** the reports.

7. Decisions and actions from previous meeting

Cllr Porter (Chairman) thanked colleagues, noting that it was Cllr Thomas's last attendance as a member of the Board, and expressed Members' best wishes for the future and gratitude for all her work.

Decision:

- The Board **agreed** the note of the last meeting.

Date of next meeting: Monday 13 September, Local Government House