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**Update on other Board Business**

**Purpose of report**

Members to note the following:

- Offer by Environment Agency (EA) for a funded secondment post to support councils on climate adaptation and invitation to be a partner of their adaptation delivery programme (attached as **Appendix A**)
- Update on Waste
- Update on EU Energy Efficiency Directive
- July and September's Chair's Reports to Councillors Forum
- Dates for 2011/12
- Any other Business

**Recommendation**

Members to note the reports.

**Action**

Members are invited to feedback on any issues they would like officers to raise with the EA.

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**Environment Agency Climate Adaptation Programme and offer to LG Group.**

**Introduction**

1. The Environment Agency has written to the LG Group to request that we consider becoming a delivery partner to the EA's new climate adaptation advice programme. The letter also contains an offer of a funded secondment into the LG Group to support delivery.
2. LG Group officers intend to have further discussions with EA officers with a view to accepting their invitation. The benefits to councils and the LGG are several and risks are minimal and manageable.

**Environment Agency's role on adaptation**

3. The EA will take on a new, additional role as the Government's delivery body in England for advice on climate adaptation – the actions needed to build the nation's resilience to the changes and impacts projected such as hotter, drier summers; warmer, wetter winters; and an increased risk of severe weather and flooding.
4. Defra will provide EA with an additional £2million per year to deliver climate adaptation advice, an increase on the current £1.5million per year budget paid to the current delivery partners, the UK Climate Impacts Programme (UKCIP) and the UK's regional climate change partnerships.
5. EA says it will use its existing structure and links with local communities and businesses to increase the reach of adaptation advice across the country. EA plan to focus on key sectors such as health, water, transport, engineering and finance.
6. In each sector EA will seek to work in partnership with the relevant trade or professional bodies and regulators to tap into relevant expertise and share knowledge on each sector's adaptation needs. The EA regard the LG Group as a key partner.

**Recent work and recommendations**

7. The role of local authorities in responding to climate change is widely acknowledged by central and local government, with virtually all (323) councils having signed up to the Nottingham Declaration on climate change which includes commitments on both climate change adaptation as well as mitigation. The Nottingham Declaration is currently being reviewed as part of the Memorandum of Understanding on climate change between LG Group and Government.

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8. In June, board members received a report on the Local Adaptation Advisory Panel (LAAP) which is a high level officer forum for central/ local dialogue, convened by Defra but chaired by a local authority. Members agreed that member input to the LAAP should be via the Inland Flood Risk Management Group.
9. LG Group policy work on adaptation to climate change has emphasised the need to embed adaptation within all service areas, to identify the economic, social and environmental risks to services and the benefits of planning for the expected impacts. Many authorities have assessed the risks to services of future climate change, taken steps to climate proof buildings and services and are working with vulnerable groups to reduce risk. An LG Group publication, Winning Solutions for Adaptation, published in June 2011, includes case studies of action by authorities.
10. Flood and erosion risk management are key adaptation issues and the LG Group's Inland Flood Risk Management Group and Coastal Issues SIG provide forums for members to develop LG Group policy and for the exchange of information, ideas and advice between local government and central government and its agencies.

**Next steps**

11. LG Group officers intend to have further discussions with EA officers with a view to accepting their invitation. Discussions will focus on developing a better understanding and agreement of the exact nature of the secondment offer as well as how we can work in partnership. The benefits to councils and the LGG are several and risks are minimal and manageable:
  - 11.1 the seconded person will be a welcome additional resource for local authorities, enabling greater access to expertise and know-how that is not currently possible with existing LGG resources;
  - 11.2 the seconded post will be 'locked' into the LG Group's relationships with councils and ways of engaging with them – thus maximising existing channels of engagement, including through services such as Planning Advisory Service, rather than duplicating methods through operating outside the local government 'family'
  - 11.3 it will further enable councils, beyond the LAAP, to shape the adaptation support programme to ensure it fits with their needs and priorities, and
  - 11.4 enable councils to have better access to Defra's policy team on climate change adaptation.
12. Whilst the LG Group's relationship with the EA is generally a positive one, officers will ensure that our acceptance of this offer does not compromise our ability to represent councils' views on the work of the Environment Agency.

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**Update on Waste**

13. Defra have been named as defendants in a Judicial Review brought by UK Recyclate Ltd and others in relation to Regulation 13 of the Waste (England and Wales) Regulations 2011. The claimants are challenging the interpretation in the UK that co-mingled waste collection can be considered a separate collection of waste (required as part of the 2008 EU Directive on Waste). The claimants are also challenging the consultation procedure. Success in this case would have significant implications and costs on waste collections for local authorities. As such the Board will need to decide whether the LG Group should be named as an interested party in order to provide evidence on behalf of the sector. Options paper to be circulated shortly.
14. The LG Group has been working with Defra and WRAP to produce separate household and business waste commitments for local authorities to sign that outline the level of service and opportunities for input their customers can expect. The launch of the commitments has been delayed while the text for the household commitment reconsidered. This is in the process of being agreed between LG Group and Defra. The launch is expected this autumn.
15. The LG Group is be seeking further discussions with Defra concerning this Waste Review action based on a removal of barriers to opening up council run household waste and recycling centres to SMEs/ businesses. A letter is being drafted for Councillor Parsons to raise concerns with Lord Henley (Minister for Waste and Recycling) in order to initiate further consideration and meetings between LG Group and Defra officers

**EU Energy Efficiency Directive**

16. The European Commission have produced a draft EU Energy Efficiency Directive, which would have significant implications for the local authorities. The main issues are the establishment of a 3% annual target for renovation of publicly owned buildings and an obligation on public bodies to purchase only products, services and buildings with high energy efficiency performance. The LG Group have contributed towards a Council of European Municipalities and Regions (CEMR) position statement that seeks to minimise and make more flexible the targets. A draft LG Group position statement will be produced shortly for your consideration.

## **Report to July Councillors' Forum**

### **Environment & Housing Programme Board – report from Cllr Gary Porter**

#### **LGA Housing Seminar – 9 June 2011**

1. I chaired a members housing seminar on 9 June. The seminar included a presentation and discussion with the housing Minister, Grant Shapps MP and political perspectives from Cllr Tony Newman, Cllr Chris Naylor and Cllr Mike Haines. Issues discussed included: giving councils a level playing field with housing associations in accessing funding for building social housing, questions about long-term sustainability of the Affordable Rent model, positive impact of past regeneration projects in turning around deprived urban areas and the importance of sustainability, and social and environmental considerations in delivering housing. Members then took part in detailed workshop discussions on four themes: housing finance, housing growth, housing regeneration and renewal, social housing reform.

#### **Draft Planning Policy Statement for Traveller Sites**

2. On 13 April 2011, the Government published for consultation a draft new planning policy statement for traveller sites. Full details available here: <http://www.communities.gov.uk/planningandbuilding/travellers> On 17 June 2011, Cllr Ed Turner chaired a meeting of CLG officials and LG Group Planning Portfolio Holders to explore some of key issues for local authorities stemming from the consultation. LG Group officers will use the outputs of this discussion to inform the LG Group response to this consultation, which will also be circulated to members for comment.

#### **Homelessness round table with Grant Shapps**

3. Further to LG Group Members attendance at the Ministerial Working Group on homelessness, Councillor David Rogers OBE, Chair of the Community Wellbeing Programme Board, and I convened a round table to discuss a community budgeting approach to homelessness. The meeting was attended by over 20 local authority members, senior officers and the Housing Minister, Grant Shapps MP. Following a discussion on the community budget pilots on families with complex needs the group agreed to investigate developing a stronger role for housing issues on the health and well being board agenda and develop a strong evidence base and case studies to support a preventative approach.

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**National Planning Forum**

4. Cllr Mike Haines chaired the National Planning Forum (bringing together private and public sector interests in planning) meeting on the 23rd June. The Forum discussed the recently published draft National Planning Policy Framework and heard from two of the draft's authors, John Rhodes of Quod Planning Consultancy and Pete Andrew, Director of Land and Planning at Taylor Wimpey UK. The meeting also heard from DCLG Chief Planner, Steve Quartermain on changes to the planning system.

**Meeting with Chief Executive Homes and Communities Agency**

5. Pat Ritchie, Chief Executive of the Homes and Communities Agency, attended the Environment and Housing Board meeting on 26th June for a discussion with the Board on the Government's housing reforms, the implications for local housing authorities and the agency's changing role from investor to enabler. Following a discussion of challenges and priorities for the sector, it was agreed that the LG Group and the HCA should explore the potential for collaboration in supporting councils in providing strong leadership through their strategic housing role.

## **Environment & Housing Programme Board – report from Cllr David Parsons CBE**

### **Planning Summer School (Elected Members School)**

1. I gave the opening address at the Annual Planning Summer School in Swansea University on Saturday 3 September, which focused on 'planning with communities.' I discussed the important role of councillors in planning, the reforms in the Localism Bill and the opportunities this brings for councils and communities to shape their areas. I also stressed the importance of getting a local plan in place as a way of enabling councils to safeguard their areas against inappropriate development, developing a good understanding of the needs of the local community as they relate to planning and a way of engaging local people in decisions that affect them.

### **Draft National Planning Policy Framework published**

2. The Department for Communities and Local Government's (DCLG) draft National Planning Policy Framework (NPPF) was published on 25 July 2011. As well as responding to the formal consultation (deadline 17 October), we will be submitting written evidence to the DCLG and Environmental Audit select committees on the NPPF in September. Please see our [position statement](#) on the proposals put forward in July. In addition to this we will be launching a new document "Localism and the NPPF: some implications for local government" with the Planning Advisory Service and Society of Local Authority Chief Executives at our national conference on "Understanding the NPPF" on 10 October 2011.

### **Flood Risk Management**

3. In August, I wrote to the Minister for Flooding, Richard Benyon, to express the concerns of member authorities at the delay in publication of the consultation on the Implementation of the Sustainable Drainage Systems (SuDS) provision and also the National Standards for SuDS. Government has proposed to implement the SuDS provisions in the Flood and Water Management Act 2010 from April 2012 however currently there is no clear timetable for commencement to enable local authorities to plan effectively for the implementation at a local level. The Government has confirmed that the consultation will not be launched until the Autumn 2011. The knock on effect is that the preferred implementation date of April 2012 is unlikely.
4. The LG Group will continue to ensure the view of local government is fully represented and work with Defra to ensure the consultation addresses the

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areas of concern, particularly around the avoidance of new burdens, proposed new implementation dates, and long-term funding.

**Understanding and Responding to Planning Reform event**

5. Mayor Dorothy Thornhill CBE spoke at the Planning Advisory Service's (PAS) 'Understanding and Responding to Planning Reform' event on 8 September. Mayor Thornhill provided an elected Member's perspective on the Localism Bill, the draft National Planning Policy Framework (NPPF), and the impact of the planning agenda on councils' work, local plans and place.



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**LG Group Environment & Housing Programme Board**

**Meeting Dates 2011-12**

<b>DAY (2011)</b>	<b>DATE</b>	<b>TIME</b>	<b>LEAD MEMBERS' PRE-MEETING</b>	<b>ROOM / VENUE</b>
Wednesday	14 September 2011	11.00am	9.30am	Smith Square Rooms 3&4, Local Government House
Wednesday	16 November 2011	11.00am	9.30am	Rathbone Rooms 1&2, Local Government House
<b>DAY (2012)</b>				
Wednesday	11 January 2012	11.00am	9.30am	Smith Square Rooms 3&4, Local Government House
Wednesday	14 March 2012	11.00am	9.30am	Smith Square Rooms 3&4, Local Government House
Wednesday	Tbc May			
Monday	25 June 2012 (to coincide with LGA Conference – the day before)	tbc	tbc	Birmingham