

Growth and Infrastructure Act 2013

Purpose

For information and discussion.

Summary

This paper provides an overview of the LGA's lobbying achievements delivered during the passage of the Growth and Infrastructure Act through Parliament. A summary of media coverage achieved throughout the campaign is also included. The paper also outlines further work to influence the implementation of the Act.

Recommendation

That the Board notes the LGA's successes and the next steps set out at **paragraphs 5 - 9**.

Action

As directed by the Board.

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Growth and Infrastructure Act 2013

Background

1. The Growth and Infrastructure Bill was introduced to Parliament on 18 October 2012. The Bill has now progressed through both its Commons and Lords stages and received Royal Assent on 25 April.
2. The Bill has been a priority piece of work for the LGA. This report provides an overview of the LGA's work and achievements in influencing during the passage of the Bill. The paper also details the next steps that officers are taking following Royal Assent.

LGA achievements

3. The LGA has recorded a number of successes through our work on the Growth and Infrastructure Bill. These include:
 - 3.1. Ministerial agreement that going forward those councils deemed 'poorly' performing under Clause 1 of the Bill will be informed of their performance issues at least 12 months in advance of designation. We have agreed with government new governance arrangements for the Planning Advisory Service (PAS) to ensure a sector-led offer of support is available to councils at risk of designation;
 - 3.2. Ministerial agreement that the criteria for measuring performance under Clause 1 will be subject to parliamentary approval. The LGA will ensure parliamentarians are briefed on local government's position when considering the draft criteria;
 - 3.3. On Section 7 (which allows developers to appeal to PINs to renegotiate the level of affordable housing with their s106 agreement), the LGA secured the insertion of a sunset provision, with the intention that the Clause will expire in April 2016;
 - 3.4. The LGA secured the insertion of a new clause to strip away the bureaucracy surrounding Local Development Orders. Section 5 removes centrally set monitoring requirements and the requirement to seek the Secretary of State's approval for draft Orders;
 - 3.5. The LGA robustly, and successfully, defended the merit of reforming the system for registering town and village greens, against formidable opposition. Sections 14 -16 align town and village green registration with the planning system, simplifying the process for councils. Crucially they will prevent the system being abused as a tool to prevent much needed development and ensure the primacy of the Local Plan;
 - 3.6. The LGA also proposed an amendment to remove of the housing borrowing cap, which is currently imposed on stock owning councils. Removing this centrally set cap could allow councils to invest in up to 60,000 new homes. We secured cross-party support for this proposal and will continue to press for financial flexibilities to allow councils to play their full part in meeting rising housing need. For instance, this is one of our core asks of central Government in the run up to the next Spending Round in June; and

3.7. The Bill was a forum for debate of Government's controversial plans to increase the size of single storey household extensions under permitted development. The LGA and its members campaigned strongly against the government's proposals. In the face of significant opposition, Government brought forward revised proposals through which neighbours can raise concerns. Councils have continuing concerns with the revised approach, which we will be discussing with Government in advance of secondary regulations being brought forward.

Media Activity

4. The LGA secured extensive high profile media coverage to promote local government's position and our core lobbying objectives for the Bill. Over a period of several months, stories were placed with national newspapers and media outlets to coincide with key votes and debates as the Bill made its passage through Parliament. We secured significant coverage for five of our key lobbying aims in the national media, including:
 - 4.1 Our call for the Bill to revise Government's plans to allow larger home extensions achieved significant coverage in the national press, particularly in the Daily Mail and Telegraph. The LGA's lobbying in support of a local opt-out amendment generated five consecutive days of coverage in the Daily Mail and featured in the Daily Telegraph Guardian, Times, Mirror and BBC Online. Almost all national coverage of the permitted development issue quoted LGA figures that showed almost 90 per cent of applications for home extensions were approved by councils;
 - 4.2 The Daily Telegraph ran a supportive front page story in January about our opposition to extending the Nationally Significant Infrastructure Planning Regime, meaning that applications to build large offices, warehouses and factories could bypass councils. The story also ran in the Financial Times;
 - 4.3 The Daily Telegraph ran stories in November and February based on our argument that proposals to change the siting requirements for broadband cabinets and overhead lines did not come with necessary safeguards and were in effect far broader in scope than presented by the Government;
 - 4.4 Our concerns about proposals to remove planning powers from councils deemed slow in making decisions were quoted by LGA Vice President Baroness Eaton in a front page Daily Telegraph story in January. She quoted LGA lines that the planning system was not the barrier to growth and that the measure represented a dangerous move away from localism; and
 - 4.5 Our efforts to lobby for a new clause in the Bill to remove the housing borrowing cap were backed up by national media work. The Financial Times and Daily Star ran stories in March about the LGA's call for the cap to be removed to help fund the construction of up to 60,000 new homes over five years.

Next steps

5. Cllr Jones wrote an article in First magazine on the LGA's achievements on the Growth and Infrastructure Act. Lead members have written to thank members of the House of Lords who actively supported local government and led on LGA amendments.

14 May 2013

Item 2

6. Cllr Jones is meeting with Planning Minister Nick Boles on 7 May to discuss implementation of key areas of the Act.
7. Officers are in discussion with DCLG officials about the detail of the new measures, and the practicalities of implementation.
8. A package of sector-led support for planning is being developed by the Planning Advisory Service with oversight from the PAS Board which has representation for the Environment and Housing Board.

Financial Implications

9. This work has been delivered within existing budgets.