

Environment and Housing update paper

Purpose

For information and comment.

Summary

This paper provides an update on LGA activity and recent developments relating to the Board's work programme and priorities in the following areas:

- Housing and Planning
- Impact of Welfare Reform on Housing
- Flooding and water infrastructure
- National Adaptation Plan
- Quarterly Meeting with Greg Barker
- ECO Brokerage
- LGA evidence to anti-social behaviour bill

Recommendations

That Board Members **note** the updates provided.

Action

As directed by the board.

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Environment and Housing update paper

Introduction

1. This paper provides an update on activities undertaken to progress the Board's agreed work programme not covered by other items on the agenda for the meeting on 01 July and covers key policy developments relating to issues within the Board's remit that have taken place since the last Board meeting on 14 May 2013.

Housing and Planning

2. The LGA responded to the government's consultation on further changes to the Community Infrastructure Levy (CIL). The LGA stressed that the changes proposed in the consultation, coupled with the recent changes to CIL guidance will increase the evidential requirements on local authorities when preparing a charging schedule and may result in delay and additional costs to councils. CIL does not and cannot meet the whole infrastructure needs in an area and it is crucial that it remains a flexible system to respond to local needs and priorities. The LGA highlighted that the Government proposals to introduce mandatory exemptions to CIL will reduce flexibility for charging authorities to cater for local needs and could significantly reduce the amount of funding necessary to invest in crucial infrastructure.
3. The government has laid its proposed criteria to designate councils for poor performance on planning grounds under the Growth and Infrastructure Act before Parliament. The Act sets out provisions that enable the Secretary of State to designate a local planning authority (LPA) as poorly performing on the basis of its performance on major applications. Designation will mean that applicants may choose for their major application to be handled by either the LPA or the Planning Inspectorate (PINS). The criteria have been laid before Parliament for 40 days. The criteria will have effect at the end of this period, provided that neither House has resolved not to approve it.
4. The LGA has issued a briefing (available at http://www.local.gov.uk/web/guest/planning/-/journal_content/56/10171/4031014/ARTICLE-TEMPLATE) to our members highlighting our concerns with the proposed criteria and is making representations to parliamentarians.
5. Councillor Mike Jones met with the District and County Councils Networks to discuss good practice to bring forward viable and sustainable development that is supported by necessary infrastructure. DCN and CCN agreed to work with the LGA to develop an advice note which will set out key principles and examples to encourage an early dialogue with applicants regarding the totality of infrastructure contributions and the viability of a site. This note is currently being developed and will be made available to councils in the summer.
6. At the Board's request at the 14 May meeting, Cllr Jones wrote to Mark Prisk MP to highlight the case for flexibility on the borrowing cap and to outline a number of other areas for follow up in light of the discussion, as follows:
 - 6.1. How to encourage the use of smaller sites to bring forward housing;
 - 6.2. Meeting changing demographic pressures and the needs of older people over the longer term;

- 6.3. Bringing empty homes back into use;
 - 6.4. Further consideration of how we might use recent flexibilities on Local Development Orders to encourage Self Build; and
 - 6.5. Out of area placements and the LGA's work with councils to respond to the impacts of welfare reforms.
7. Officers are in dialogue with counterparts at DCLG regarding both to the issues highlighted above and also the New Homes Bonus as raised in the Minister's response. The LGA's letter to the Minister and his reply are attached as **Appendix 5a** and **Appendix 5b** respectively.

Impact of Welfare Reform on Housing

8. Councillor Jones met with Chair of the Finance Panel, Cllr Sharon Taylor to discuss the impact of the Government's package of welfare reform on housing. The scale, scope and pace of the welfare reforms will have a significant impact on councils and communities, much of which will only be seen and understood in real time as the changes are implemented and the Finance Panel are leading work to collate data on the impact and costs of the reforms. The Environment and Housing Board will continue to work with the Finance Panel to feed in specific housing impacts on this cross cutting issue. One particular area that we will continue to discuss with local authorities is availability of appropriate and affordable housing stock and out of area placements. Officers have continued to discuss information sharing on out of area placements with London Councils and others.

Flooding and water infrastructure

9. The Inland Flood Risk Management Group met on 5 June and discussed issues relating to Partnership Funding for flood defences, surface water maps, SUDs implementation and insurance. They also received a presentation from the National Farmers Union (NFU) on the challenges faced by the farming community in managing flooding, how the NFU's members work with local flood risk authorities and their perspectives on their future role in reducing flood risk. The Inland FRM Group invited the NFU to future Group meetings. Key actions agreed by the Group included:
- 9.1. Members of the Group agreed to feed in their council's views on Partnership Funding to Defra's review;
 - 9.2. To discuss with their colleagues and finance officers the potential implications for recovering costs for SUDs maintenance;
 - 9.3. To share recent concerns on floods insurance with LGA officials for inclusion in a letter to the relevant Minister, highlighting the need for the Government and the insurance industry to urgently find a sustainable solution to current floods insurance problems; and
 - 9.4. Requested that officers provide a briefing on the Water Bill and an assessment of the effectiveness of any clauses on flood insurance, when the Bill is published.
10. The LGA responded to Ofwat's consultation on how they should assess water company business plans with regards under the Price Review 14 process, via a letter from Cllr Mike Jones. The letter (attached as **Appendix 5c**), included the following key points:

- 10.1. Water companies' periodic reviews of depreciation profiles of their assets should continue to accurately reflect their lifetime, thereby maximising money for investment;
- 10.2. That the water companies consider future housing demand when setting prices, giving water companies more certainty and headroom to invest, and that water companies should use housing data from locally derived sources, with local plans being the best source of information; and
- 10.3. To ensure that local priorities are being considered, the LGA encouraged Ofwat to examine the degree to which companies are engaged with councils and other flood risk authorities.

National Adaptation Plan

11. On 2 July, Defra will publish the National Adaptation Plan, setting out how government, businesses, communities and civil society should prepare for and adapt to climate change. The plan recognises the vital role of local government in building resilience at a local level and acknowledges the importance of the LGA's Climate Local initiative in helping to build council capacity on climate change. The LGA will continue to support councils deliver their adaptation commitments through the Climate Local initiative.

Quarterly Meeting with Greg Barker

12. Councillors Tim Moore, Frances Rhoden and Andrew Cooper met with the Minister for Climate Change, Greg Barker MP, on 21 May. At the meeting, members agreed a joint Memorandum-of-Understanding (MoU) between the LGA and DECC which set out how the two organisations will work together. The MoU recognises that councils have a unique insight and reach into communities that can ensure carbon reduction policies and programmes benefit communities and protect the most vulnerable.
13. Members pressed for flexibility in the design of ECO and Green Deal policy to ensure that there are no unnecessary barriers to rolling out schemes. They also sought and received assurances that local authorities will have access to data about the take-up of Green Deal and ECO measures in order to be able to target their efforts to best effect. Members also set out the case for local leadership for tackling fuel poverty, including proposals for joint work with Energy UK and the National Housing Federation to promote good practice.

ECO brokerage

14. In support of our work on ECO Brokerage Cllr Jones met with Angela Knight, Chief Executive of the Energy UK. They discussed the LGA and Energy UK's priorities on energy efficiency, and how both organisations can support councils and energy suppliers to work effectively together. It was agreed that the LGA and Energy UK should promote good practice (showcasing a range of examples of effective local partnerships between councils, energy suppliers, and other agencies), explore options to promote action on energy efficiency by Registered Providers, and to consider a joint conference on the theme of local action on energy efficiency in the autumn, in collaboration with the NHF.

LGA evidence to anti-social behaviour bill

15. Cllr Mehboob Khan (Chair, LGA Safer and Stronger Communities Board) and Angela

Mawdsley (Anti-social Behaviour Manager, Leeds City Council) provided oral evidence to the Anti-social Behaviour, Crime and Policing Bill Committee on behalf of the LGA on 19 June.

16. On tackling anti-social behaviour (ASB) committed by tenants in private rented accommodation, Cllr Khan advocated the roll out across the UK of the Scottish system, whereby private landlords can be prevented from obtaining their rent from tenants if they fail to act against ASB committed in their properties. Cllr Khan also highlighted the high costs incurred by local authorities in trying to encourage some private sector landlords to take action, suggesting that local authorities should be allowed to re-charge these costs to such landlords.