

Environment and Housing Board

Agenda

Monday 9 September 2013
11.00am

Smith Square Rooms 3 & 4
Local Government House
Smith Square
London
SW1P 3HZ

To: Members of the Environment and Housing Board
cc: Named officers for briefing purposes

www.local.gov.uk



Guidance notes for visitors

Local Government House, Smith Square, London SW1P 3HZ

Welcome!

Please read these notes for your own safety and that of all visitors, staff and tenants.

Security

All visitors (who do not already have an LGA ID badge), are requested to report to the Reception desk where they will be asked to sign in and will be handed a visitor's badge to be worn at all times whilst in the building.

Fire instructions

In the event of the fire alarm sounding, vacate the building immediately following the green Fire Exit signs. Go straight to the assembly point in Tufton Street via Dean Trench Street (off Smith Square).

DO NOT USE THE LIFTS.

DO NOT STOP TO COLLECT PERSONAL BELONGINGS.

DO NOT RE-ENTER BUILDING UNTIL AUTHORISED TO DO SO.

Members' facilities on the 7th floor

The Terrace Lounge (Members' Room) has refreshments available and also access to the roof terrace, which Members are welcome to use. Work facilities for members, providing workstations, telephone and Internet access, fax and photocopying facilities and staff support are also available.

Open Council

"Open Council", on the 1st floor of LG House, provides informal meeting and business facilities with refreshments, for local authority members/officers who are in London.



Toilets

Toilets for people with disabilities are situated on the Basement, Ground, 2nd, 4th, 6th and 7th floors. Female toilets are situated on the basement, ground, 1st, 3rd, 5th, and 7th floors. Male toilets are available on the basement, ground, 2nd, 4th, 6th and 8th floors.

Accessibility

Every effort has been made to make the building as accessible as possible for people with disabilities. Induction loop systems have been installed in all the larger meeting rooms and at the main reception. There is a parking space for blue badge holders outside the Smith Square entrance and two more blue badge holders' spaces in Dean Stanley Street to the side of the building. There is also a wheelchair lift at the main entrance. For further information please contact the Facilities Management Helpdesk on 020 7664 3015.

Further help

Please speak either to staff at the main reception on the ground floor, if you require any further help or information. You can find the LGA website at www.local.gov.uk

Please don't forget to sign out at reception and return your badge when you depart.

Environment and Housing Board
09 September 2013

There will be a meeting of the Environment and Housing Board at:

11.00am on **Monday 09 September 2013** in Smith Square Conference Centre, Rooms 3&4, Ground Floor, Local Government House, Smith Square, London, SW1P 3HZ. A sandwich lunch will be served after the meeting.

Briefing for Board Lead members

The briefing for Lead members will take place from **9.15am** in Smith Square Rooms 3&4.

Political Group meetings

Please refer to your Political Group office (see contact details below) for group meeting timings.

Attendance Sheet

Please ensure that you sign the attendance register, which will be available in the meeting room. It is the only record of your presence at the meeting.

Apologies

Please notify your political group office (see contact telephone numbers below) if you are unable to attend this meeting, so that a substitute can be arranged and catering numbers adjusted, if necessary.

Labour:	Aicha Less:	020 7664 3263	email: aicha.less@local.gov.uk
Conservative:	Luke Taylor:	020 7664 3264	email: luke.taylor@local.gov.uk
Liberal Democrat:	Group Office:	020 7664 3235	email: libdem@local.gov.uk
Independent:	Group Office:	020 7664 3224	email: Vanessa.chagas@local.gov.uk

Location

A map showing the location of Local Government House is printed on the back cover.

LGA Contact

Liam Paul: Tel: 020 7664 3214, e-mail: liam.paul@local.gov.uk

Carers' Allowance

As part of the LGA Members' Allowances Scheme a Carer's Allowance of up to £6.19 per hour is available to cover the cost of dependants (i.e. children, elderly people or people with disabilities) incurred as a result of attending this meeting.

Guest WiFi in Local Government House

This is available in Local Government House for visitors. It can be accessed by enabling "Wireless Network Connection" on your computer and connecting to LGH-guest, the password is Welcome2010LG.

Social Media

The LGA is committed to using social media in a co-ordinated and sensible way, as part of a strategic approach to communications, to help enhance the reputation of local government, improvement engagement with different elements of the community and drive efficiency. Please feel free to use social media during this meeting. **However, you are requested not to use social media during any confidential items.**

The twitter hashtag for this meeting is #lgaehp

Environment & Housing Board

Updated: 08.08.13

Environment & Housing Board - Membership 2013/14

Councillor	Authority
Conservative (7)	
Mike Jones [Chairman]	Cheshire West & Chester
Philippa Roe*	City of Westminster
Clare Whelan OBE	LB Lambeth
Brian Williams	Shropshire
Jim Harker	Northamptonshire CC
Deborah Croney*	North Dorset DC
Geoffrey Theobald OBE	Brighton & Hove
Substitutes:	
Rock Fielding-Mellen	Kensington and Chelsea RB
Philip Ham**	Mendip DC
Peter Britcliffe**	Hyndburn DC
Eric Allen [former member]**	LB Sutton
Labour (7)	
Clyde Loakes [Vice Chair]	Waltham Forest LB
Tony Newman	Croydon LB
Ed Turner	Oxford City Council
Tim Moore	Liverpool City Council
Barbara Cannon	Allerdale BC
Gwen Hassall	Stoke-on-Trent City Council
Brenda Arthur*	Norwich City Council
Substitutes:	
Maureen Cummings**	Wakefield MBC
Phil Jones**	Camden LB
Liberal Democrat (2)	
Keith House [Lead]	Eastleigh BC
Terry Stacy JP MBE	Islington LB
Substitute	
Simon Galton [former member]	Leicestershire CC
Independent (2)	
Andrew Cooper [Deputy Chair]	Kirklees MBC
John Northcott*	Mole Valley DC

* new member

**new substitute

Agenda

LGA Environment and Housing Board

Monday 09 September 2013

11.00 - 13.00

Smith Square Rooms 3&4, Local Government House, SW1P 3HZ

Item	Page	Time
For discussion		
1. Environment and Housing Board work programme 2013 - 14	3	11.00
2. Community benefits for fracking	15	11.45
3. Reuse Commission	25	12.05
4. Outside bodies and portfolio holders	31	12.25
5. Environment and Housing Board Update	39	12.40
To note		
6. Any other business		12.55
7. Board Terms of Reference	49	
8. Decisions and actions from previous meeting	53	

Date of next meeting: 11.00am, Wednesday 13 November 2013, Westminster Suite, Local Government House, SW1P 3HZ.

Environment and Housing Board Work Programme 2013-14

Purpose of Report

For discussion and agreement.

Summary

This paper sets out a proposed work programme to deliver the priority projects agreed at the July meeting of the Board. Subject to comments from the Board, this will form the work programme for the year ahead.

Recommendation

That Environment and Housing Board Members discuss and agree the outcomes, deliverables and activity set out for each of the projects in the work programme.

The proposed projects on Fracking and the Reuse Commission are tabled for discussion in further detail under **items 2 and 3** of this agenda.

Action

Subject to agreement by the Board, officers to undertake the 11 projects set out in this report over the course of the next year.

Contact officer: Caroline Green
Position: Senior Advisor
Phone no: 0207 664 3359
E-mail: Caroline.green@local.gov.uk

Environment and Housing Board Work Programme 2013-14

Introduction

1. At the July meeting of the Board, members discussed the priority areas of focus for the Board's work programme for the 2013-14 Board cycle. In light of the further reduction to the LGA budget and resources, the Board recognised that the work programme will need to be focused on a defined set of projects which can deliver significant impact and demonstrate maximum value to councils.
2. Members also reflected on the Board's achievements last year in leading the debate, particularly on waste and planning, and agreed that the Board's efforts and resources should be focused on proactively leading the agenda.
3. Key to influencing and leading policy debates are the Board's strong and influential relationships with partners across government and the public sector, industry and the voluntary sector. The Board is asked to discuss the right partners to engage with and ensure that these relationships are focused on delivering the priorities agreed by the Board.
4. The proposed work programme reflects the priorities set out in the LGA business plan 2013-14, particularly in relation to the priority on economic growth, jobs and prosperity which aims to ensure that councils are recognised as central to economic growth. Growth is also a key theme of the LGA's work on Rewiring Public Services which was launched at the LGA Annual Conference in July. The Board's work over the next year should seek to support and inform that work as it moves forward.
5. At the July meeting the Board identified 11 projects to be delivered over the 2013/14 Board cycle under the themes of:
 - 5.1 Housing;
 - 5.2 Planning;
 - 5.3 Waste; and
 - 5.4 Energy
6. The proposed work programme is ambitious and has been scoped to be deliverable within the resources available to the Board. This means that not all of the projects can begin in September and will need to be phased throughout the year. We will have a limited reactive capacity outside these areas to respond to key issues and developments that may arise, however the resource implications of work outside this work programme will need to be considered on a case by case basis and if necessary identified projects will need to be downscaled, postponed or dropped if new priorities arise.

Proposed work programme 2013-14

Housing

7. The Board agreed three projects on Housing to focus on key issues for councils: meeting the challenges of increasing housing supply; ensuring that the private rented sector offers a high quality and stable option for residents; and responding to the housing implications of welfare reform. The proposed projects are set out below in more detail.

8. Increasing Housing Supply.

8.1 Outcome: Councils can secure increased investment in housing for their areas and policy proposals to support that aim are adopted by the main political parties.

8.2 Deliverables:

8.2.1 Build on existing evidence to demonstrate that councils and ALMOs are ideally placed to invest in new affordable homes and can do so in a way that delivers value for money for the public purse. Use this evidence to press for the removal of the HRA borrowing cap and changes to the Right to Buy scheme.

8.2.2 Deliver examples of housing investment partnership models.

8.2.3 Develop proposals to overcome barriers to private investment in private rented housing, and to support councils to attract and sustain this investment.

8.3 Activity and indicative timescales:

8.3.1 Work with councils, Chartered Institute of Housing, National Federation of ALMOs and others to update our evidence on the value for money delivered by council-led building programmes and the ambition of local authorities to invest in new and existing housing. Develop further evidence of the wider economic impact of council-led investment in housing.

8.3.2 Engage with councils and investment partners to draw on existing research and explore examples of effective council-led investment models to understand barriers, impact and opportunities.

8.3.3 Develop proposals which would support councils in securing private sector investment in the supply of private rented sector housing.

8.3.4 This work will be delivered between September 2013 and early 2014.

8.4 Key partners

8.4.1 National housing representative bodies, LGA Special Interest Groups including DCN, CCN, Association of Retained Council Housing and Councils with ALMOs Group,

8.4.2 Representatives of housebuilding and development industry

8.4.3 Relevant government departments and agencies.

8.4.4 Investment agencies and financiers.

9. Securing a better deal for tenants in the private rented sector

9.1 Outcome: A modernised legal and regulatory system for the private rented sector which reflects that tenants and landlords need a framework that avoids abuse from criminal landlords, protects tenants, promotes quality housing and attracts investment to increase supply.

9.2 Deliverable: A draft Landlord and Tenant Bill fit for the 21st century.

9.3 Activity and indicative timescales:

9.3.1 Work with landlords, housing practitioners and partners to develop an evidence base demonstrating the limitations, costs and impacts of the current system.

9.3.2 In dialogue with tenants groups, landlords, housing practitioners and property investors, develop proposals for an effective regulatory framework which promotes quality housing, attracts investment and provides councils with effective enforcement powers.

9.3.3 Produce key elements of a draft bill with appropriate legal input.

9.3.4 *This work will be delivered between Autumn 2013 and Spring 2014.*

9.4 Partners:

9.4.1 Housing organisations, local authority and cross sector private rented sector forums and strategic housing networks,

9.4.2 Tenants and consumer groups and national housing charities,

9.4.3 Landlords and lettings agents groups including the property and development industry including large scale landlords and investors,

9.4.4 Lawyers with expertise in property and parliamentary drafting.

10. Managing the housing implications of welfare reform.

10.1 Outcome: The implications of welfare reforms for local authorities are evidenced and councils are properly funded. Universal Credit is designed in a way that recognises and makes full use of councils' role and expertise in supporting claimants.

10.2 Deliverables:

10.2.1 Research on the local prioritisation and sufficiency of Discretionary Housing Payment (DHP) to support LGA proposals to re-evaluate the fund and ensure that it better matches demand in local areas.

10.2.2 Work with councils and partners supporting vulnerable groups and those most affected by the social sector size criteria and the use of DHPs to understand how the reforms are impacting on them and how councils and their partners will target support.

10.3 Activity and indicative timescales:

10.3.1 Work with and support the Finance Panel and Executive to evidence the housing implications of welfare reforms for local authorities and argue for adequate funding.

10.3.2 Survey of councils to build an evidence base of the sufficiency and prioritisation of DHP.

10.3.3 Research and examples demonstrating how councils and their partners are targeting support.

10.3.4 *This work will begin in September 2013 and be completed by Spring 2014.*

10.4 Partners:

10.4.1 Housing association representative bodies; housing organisations and consumer rights groups

Planning

11. The Board agreed that the focus of the work on planning should be to present a strong case against further centralisation of the planning system and for greater local determination on planning matters.

12. It was also agreed that the work should focus on areas of potential challenge for councils for example, strategic planning across local authority boundaries for housing and infrastructure (including waste, water and floods infrastructure) and fracking. Delivery of the work on planning will include work undertaken by the Planning Advisory service and Climate Local.

13. The four projects agreed by the Board are set out below.

14. Promoting a locally led planning system

14.1 Outcomes: That future government and opposition planning policies support local determination on planning matters and do not erode local government decision making.

14.2 Deliverables:

14.2.1 The cumulative impact of the extension of permitted development rights to schools, high streets and household extensions is assessed and used to press for greater local discretion.

14.2.2 Good practice and examples of councils' positive approach to working with developers to make planning fast and effective.

14.2.3 Evidenced proposals for simplifying tools and greater flexibility for councils within the planning system.

14.3 Activity and indicative timescale:

- 14.3.1 A survey of councils and businesses on the impact of the changes to permitted development. This survey will include an assessment of take up, costs and impact (for example on the local high street).
- 14.3.2 Work with councils, developers and house builders to produce case study evidence on effective planning.
- 14.3.3 Work with councils, developers and house builders to identify practice and policy solutions to barriers to fast and effective planning processes (for example to promote joined up approach to negotiating developer contributions and to streamline statutory consultee processes).
- 14.3.4 Discussions of evidence and proposals with Ministers and the opposition front bench.
- 14.3.5 *The work on effective planning will begin in September and be completed by the end of 2013. The research on the impact of permitted development will take place from January – April next year to allow for evaluation of the first six months of the changes.*

14.4 Partners:

- 14.4.1 Planning Advisory Service,
- 14.4.2 Property development and house-building industry organisations
- 14.4.3 LGA special interest groups and professional officer networks.
- 14.4.4 Relevant government departments and Statutory Agency bodies.

15. Strategic planning for infrastructure and growth.

15.1 Outcome: Councils' role in planning for strategic infrastructure and growth is promoted and safeguarded against transfer of responsibility for planning decisions to other sub regional bodies or the Planning Inspectorate (PINS).

15.2 Deliverables:

- 15.2.1 Updated research into unimplemented planning permissions to demonstrate that planning is not blocking growth.
- 15.2.2 A publication evidencing councils' long-term, strategic approach to infrastructure provision. This will include:
 - 15.2.2.1 Evidence and good practice of councils working across boundaries within the new landscape of City Deals and LEPs;
 - 15.2.2.2 Examination of how councils are leveraging in funding and the role of CIL, New Homes Bonus and the single pot in planning and funding for necessary strategic infrastructure across areas; and
 - 15.2.2.3 Case studies and policy proposals to support effective planning for flood defences, waste and water infrastructure.

15.3 Activity and indicative timescales

15.3.1 Research on unimplemented planning permissions commissioned from Glenigans and the LGA research team.

15.3.2 Work with councils, LEPs, government agencies and developers to develop evidence and case studies of effective working across boundaries to plan and lever in funding for infrastructure and to develop policy and practice solutions to the barriers identified.

15.3.3 This work will draw on evidence and work from the Climate Local programme with particular reference to floods infrastructure and adaptation to Climate Change.

15.3.4 *Work on research on unimplemented planning permissions is underway and initial findings reported over the summer. The final research will be completed in September. The majority of work on the infrastructure publication will take place in early 2014 with the publication completed by early summer.*

15.4 Partners:

15.4.1 Property development and house-building industry organisations

15.4.2 LEPs and City Deal areas,

15.4.3 Local authority special interest groups and professional officer networks

15.4.4 Relevant government departments, statutory agencies and inspectorates.

16. Fracking

16.1 Outcome: Communities who host fracking developments receive benefits on a par with those internationally through local sovereign wealth funds managed at the level of the consenting planning authority.

16.2 Deliverables:

16.2.1 LGA policy position highlighting the importance that community interests are represented appropriately in decision making on fracking schemes.

16.2.2 Present a strong case for a more ambitious and locally controlled community benefit scheme.

16.3 Activity and indicative timescale:

16.3.1 *Policy development work to be completed in Autumn 2013 with subsequent discussions with the Government.*

16.3.2 *This project is set out in further detail, for fuller discussion under **Item 2.***

17. Supporting councils to drive improvement in planning

17.1 Outcome: Councils are effectively supported on priorities in planning including getting a plan in place and avoiding designation for poor performance; and

experience from councils is used to inform LGA policy development and good practice.

17.2 Deliverables:

17.2.1 Robust governance through the PAS Board.

17.2.2 PAS deliver against their priorities.

17.2.3 PAS work contributes to case studies and evidence to support above projects and policy developments.

17.2.4 Using learning from the programme to inform PAS' future work programme.

17.2.5 Develop proposals for funding for the programme beyond 2015 when the current grant period ends.

17.3 Activity and indicative timescales

17.3.1 PAS have a detailed work programme on-going throughout the year. The PAS Board meets four times a year to oversee and discuss progress with the work programme.

Waste

18. The Board's work on waste last year culminated in the publication of our Waste Review "Wealth from Waste" in early summer which set out future ambition to maximise potential for waste as a key growth sector and local leadership on waste. The review made a series of recommendations for future waste policy.

19. At the July meeting the Board agreed that this year's work programme should focus on lobbying in support of those recommendations and work on specific projects on recommendations for a reuse commission and working with industry to reduce packing.

20. Communication of messages from the Waste Review

20.1 Outcome: Significant media coverage of LGA positions which gain support from waste sector and are reflected in national party policies.

20.2 Deliverables:

20.2.1 Regular media stories highlighting councils' achievements and recommendations from the review.

20.2.2 Discussions with Ministers and opposition front bench to support the take up of recommendations in national party policies.

20.3 Activity and indicative timescales

20.3.1 Regular press releases to highlight messages from the review.

20.3.2 Continued engagement with the waste sector through member and officer presentations at waste conferences and events.

20.3.3 Member meetings with Ministers and opposition parties to discuss the findings and recommendations of the review. Meetings have already been

arranged with the Minister with responsibilities for Waste, Lord de Mauley, and are being arranged with the shadow Minister, Mary Creagh MP and the Chair of the Associate Parliamentary Sustainable Resources Group, Rt. Hon. Caroline Spelman MP.

20.3.4 Work on communicating messages from the review will be on-going throughout the year.

21. Reuse commission

21.1 Outcome: Councils are recognised for their contribution in leading the promotion of reuse and waste prevention, going beyond current central government ambition and recommendations from the commission are reflected in national party policies.

21.2 Deliverables:

21.2.1 Identify opportunities, value and savings that could be delivered from an increase in reuse.

21.2.2 Good practice models for local authorities to increase reuse.

21.2.3 Policy recommendations to support higher levels of reuse.

21.3 Activity and indicative timescale:

*21.3.1 This project is set out in further detail for fuller discussion under **Item 3***

21.3.2 It is proposed that the Commission will complete its work by early 2014.

22. Reducing packaging and getting a better deal for councils

22.1 Outcome: Packaging is reduced by encouraging producers and retailers to go above and beyond their existing Courtauld Commitment and councils obtain a better deal through the packaging compliance system.

22.2 Deliverables:

22.2.1 Promotion of retailers and brands that are going above and beyond the existing agreement through good practice case studies.

22.2.2 Work with signatories of Courtauld and other partners to identify and promote the key opportunities for businesses of all sizes to further reduce packaging and its impact.

22.2.3 Press for reform of the packaging compliance system to increase the quality and value of recycled packaging and better recognise the role of councils on capturing packaging for recycling.

22.3 Activity and indicative timescales

22.3.1 Collate and publish examples of leading practice in reducing packaging.

22.3.2 Work with signatories of Courtauld and others to develop and promote examples of further action building on the agreement and ways to go further in reducing packing.

- 22.3.3 Media work to publicise outcomes of the work with producers.
- 22.3.4 Engagement of Defra as part of the upcoming consultation on packaging compliance to ensure pick up of the Wealth from Waste recommendations on packaging.
- 22.3.5 *Work on this project will begin in January 2014 and be completed by the end of spring 2014.*

22.4 Partners:

- 22.4.1 Waste sector organisations, Leading grocers and brand names,
- 22.4.2 Retail and business representatives.

Energy

23. The Board agreed that the focus for the coming year should be to lead the debate on energy efficiency with a view to securing changes to current programmes which deliver greater value for money for the tax and energy bill payer and support vulnerable households more effectively. It was also agreed that the LGA's Climate Local programme will play a key role in providing evidence and input to this work.

23.1 Outcome: Clear proposals for changes to policy and delivery of energy efficiency programmes which recognise that councils should have a lead role in commissioning schemes to deliver greater value for money and more effective support to households in need. Those policy proposals are adopted by main political parties.

23.2 Deliverables:

- 23.2.1 Analysis of value for money and effectiveness of current energy efficiency programmes and comparison of council-led programmes and other schemes.
- 23.2.2 Publication of case studies demonstrating effectiveness of locally-led action and partnerships.
- 23.2.3 Proposals for how the Green Deal and ECO could deliver better value for money and increased take up.

23.3 Activity and indicative timescales:

- 23.3.1 Work led by Climate Local to establish value from authority-led projects, including spending, reach and other benefits such as local job creation and delivery through local SMEs.
- 23.3.2 Scope research required to establish costs of the schemes being developed under the current approach, benchmark against evaluation of previous schemes (CERT and CESP).
- 23.3.3 Work with Climate Local, DECC, housing and energy partners to develop proposals to promote locally led action and to maximise the impact and effectiveness of the Green Deal and ECO.

23.3.4 This work will be comprise of two phases, with research and evaluation being completed by the end of 2013 and development of policy proposals from January to June 2014.

23.4 Partners

23.4.1 National representative bodies for the energy industry and housing associations

23.4.2 Cross sector forums with interest in energy efficiency and fuel poverty

23.4.3 Relevant government departments

23.4.4 Voluntary sector energy organisations and trusts.

Financial implications

24. The proposals within this paper can be delivered within the existing programme budget.

Community benefits for fracking

Purpose of report

To set out for discussion a proposed LGA position on a community benefits scheme for shale gas development projects.

Summary

At the last Board meeting it was agreed that a project on shale gas development 'fracking' should be part of the work programme relating to planning and infrastructure.

This paper proposes that the objective of that work should be to maximise the benefit to local communities who host shale gas developments in their area through a more ambitious, locally controlled community benefit scheme. The paper sets out proposals for the project and provides an update on recent policy developments on fracking at **Appendix 2A**.

Recommendation

That the Board discusses and agrees the approach to an LGA policy on community benefits from fracking set out at **paragraph 11** and the next steps as set out at **paragraph 12**

Action

Officers to take forward work as agreed by the Board.

Contact officer: Jo Allchurch
Position: Adviser
Phone no: 07900 931045
E-mail: Jo.allchurch@local.gov.uk

Community benefits from fracking

Context

1. The Board's previous discussions on fracking have highlighted the importance of local decision making on fracking through the local planning process. The decision making process will reflect the importance of considering the community benefit and both the environmental and safety impacts of any scheme.
2. The LGA position is that fracking schemes are a matter for local decision making and should be considered through the local planning system. This provides a transparent and democratic process to ensure the interests of local communities can be taken into account. The Government has recently confirmed that decisions about future fracking proposals will continue to be taken by councils in their role as the minerals planning authority.
3. Government policy on fracking is still developing and recent announcements on shale gas development are summarised in **Appendix 2A**.
4. This paper outlines proposals for the LGA's work on fracking with a focus on maximising the benefit to local communities which host shale gas developments in their area.

Background

5. Ensuring community engagement and representation will be key in considering planning applications for shale gas development since fracking is an emerging industry and a highly emotive subject for communities affected. It is likely that in the absence of community support, successful applications will become increasingly difficult. Communities will need assurances as to the safety of the public and the mitigation required to avoid any significant impact on the environment.
6. Councils will need to take difficult and in some cases controversial decisions on planning applications for shale gas and will need to engage closely with local communities. They will wish to ensure that shale gas development delivers long-term benefits to those communities that host development in their area and that any disbenefits and risks are properly mitigated. Therefore, it is vitally important that there should be transparent and significant offsetting benefits available to communities which decide they do wish to agree to permit fracking.
7. Whilst the government is proposing a financial framework that will give shale gas firms the 'most generous tax breaks in the world', the benefits being proposed for local communities are poor in relation to those elsewhere in the world. International comparisons suggest that a typical benchmark for a local community share of fracking revenues lies between 5% and 10%. A pictorial of the community benefit levies (referred to as severance taxes) in the United States can be found in **Appendix 2B**.
8. It is also a source of concern that the offer of community benefits rests on a purely voluntary commitment by a trade body, the United Kingdom Onshore Operators Group (UKOOG) that has no ability to enforce its terms on producers.

9. Other countries use a number of models to manage community benefit levies from petrochemical extraction. It is widely recognised that this revenue represents the one-off use of a natural asset and is not ordinary tax revenue to be substituted for day-to-day government financing. In Norway, for example, oil revenue has been held in the world's largest sovereign wealth fund¹, the Government Pension Fund, worth £737 billion. A Norwegian fiscal rule limits usage of oil revenues collected to 4 per cent per annum to facilitate long-term, good management of funds in order to benefit both current and future generations.
10. In addition, in relation to existing taxation arrangements, it is important to note that local authorities now retain 100 per cent of the business rates from renewable energy projects (since April 2013). This does not apply to fracking. If it is national policy to create fiscal incentives for fracking, it would make sense for local authorities to retain 100 per cent of business rates for shale gas developments.

A possible LGA position

11. Members are invited to consider the following approach to an LGA policy on community benefits from fracking:
- 11.1 Local communities should decide, through their democratically-elected councils, whether or not to host fracking operations in their areas and local attitudes to fracking should not be overridden by national policy;
- 11.2 Given the significant tax breaks for the industry that are being proposed by the UK government to drive forward shale gas development in this country, the impact of shale gas development on local communities and the significantly higher community benefits that are offered elsewhere in the world, the industry should increase its current community benefits offer to a revenue share that is more in line with those found internationally; that share should be set at 10% of gross revenues;
- 11.3 The community benefit share should be enforceable, so needs to be put on a statutory footing;
- 11.4 The community benefit revenue share should be held at arms' length from councils in a charitable local sovereign wealth fund, jointly administered by representatives of all tiers of local government in the mineral planning authority areas, and other community groups; the income should be devoted to local arts, sports, cultural and community projects. This would ensure that communities can realise genuine, tangible benefits from accepting shale gas development and that they reach affected communities in a transparent and democratic way which supports the well-being of individuals over the long term;
- 11.5 Separately, the local share of business rates from hereditaments relating to fracking projects should be set at 100 per cent.

¹ <http://www.swfinstitute.org/sovereignwealthmap.html>

9 September 2013

Item 2

Recommendation and next steps

12. Members are invited to agree:

12.1 the proposed policy above; and

12.2 that we should meet at political and official level with Government and the industry to discuss our proposal – to include a response to the Economic Affairs Select Committee inquiry on the economic impact of shale gas and oil on UK Energy Policy.

Community benefits for fracking – Appendix A

Recent announcements and developments

1. There have been a number of recent announcements in relation to shale gas development since the last Board meeting and these are summarised below:

Community benefits:

2. As part of the spending review announcements in June, Government announced a package of *industry-led benefits* for communities affected by fracking/shale gas projects including:
 - 2.1 a community engagement charter¹ - this sets out industry's commitments to consult with communities at all stages (including pre-planning application);
 - 2.2 £100,000 in community benefits to be provided per well where fracking takes place – this will happen at the exploration/appraisal stage of shale gas operations. It is understood that this money will go directly to local communities, possibly into a local community fund (similar to that which currently happens for areas that host wind farms); and
 - 2.3 A 1% share of revenue paid to communities from the production stage of shale gas operations – this will be paid to as-yet-undefined “local” and “county” communities on a 2/3:1/3 split.

New tax regime for shale gas developers

3. In July, Chancellor George Osborne announced what he described as “the most generous tax regime in the world” for shale gas developers. Following the announcement, the Treasury launched a new consultation² on the proposed tax regime.
4. The new proposed allowance would reduce the tax on a portion of a company's production income from 62% to 30% at current rates.

Government response to consultation on extending Nationally Significant Infrastructure Projects (NSIPs) planning regime to business and commercial projects including shale gas development

5. On considering the responses to the consultation government concluded that applications for planning permission for onshore oil and gas schemes, including any future planning proposals for shale gas development, should not be included in the new business and commercial category of the NSIP but that it will be kept under review. Applications for planning permission for onshore oil and gas should therefore normally remain with minerals planning authorities for determination. This is positive as the LGA has opposed the extension of the NSIPs regime on the basis that shifting the decision to the Planning

¹ <http://www.ukoog.org.uk/elements/pdfs/communityengagementcharterversion6.pdf>

² <https://www.gov.uk/government/consultations/harnessing-the-potential-of-the-uks-natural-resources-a-fiscal-regime-for-shale-gas/harnessing-the-potential-of-the-uks-natural-resources-a-fiscal-regime-for-shale-gas>

Inspectorate (PINS), would remove accountability and risks denting the trust of communities in the planning system.

New shale gas resource figure for central Britain

6. The British Geological Survey (BGS) in association with DECC has completed an estimate³ for the resource (gas-in-place) of shale gas in part of central Britain in an area between Wrexham and Blackpool in the west, and Nottingham and Scarborough in the east. The estimate is in the form of a range to reflect geological uncertainty. The central estimate for the resource is 1329 trillion cubic feet. The estimate is a resource figure (gas-in-place) and so represents the gas thought to be present, but not the gas that might be possible to extract, which would depend on a number of different factors.

Planning guidance

7. Government published guidance for local authorities in July which provides advice on the planning issues associated with shale gas development. Although the guidance is helpful in providing a degree of clarity for local authorities, it does not provide clarification on the basis of the application boundary which is has been a key concern for councils. However, it is understood that further work is being undertaken on this by government to address this.
8. The Environment Agency has also launched a consultation on new technical guidance for onshore oil and gas exploratory operations, both for conventional and unconventional sources.

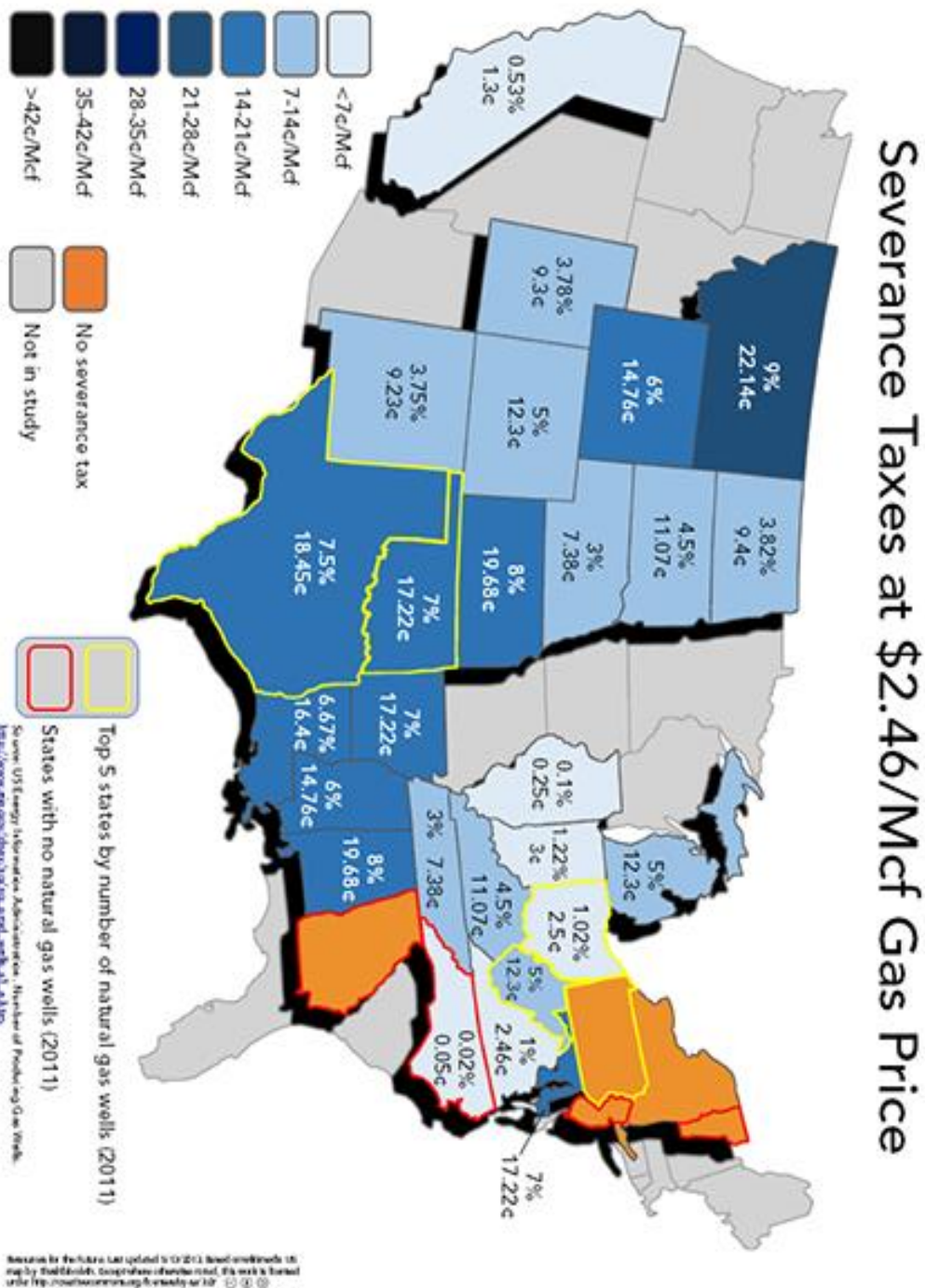
³ <http://www.bgs.ac.uk/shalegas/#ad-image-0>

Community benefits for fracking – Appendix B

Severance tax rates for shale gas in the United States

Source:

http://www.rff.org/centers/energy_economics_and_policy/Pages/Shale_Maps.aspx#maps



LGA Reuse Commission

Purpose of Report

This report sets out proposals for a LGA Reuse Commission for discussion and agreement.

Summary

Currently only a very small proportion of waste is reused. By taking advantage of the opportunities to increase reuse there would be potential environmental gains and cost reductions for councils.

In response to these opportunities 'Wealth from Waste' - the report from the LGA local waste review - recommended the establishment of a Reuse Commission to report on measures government, councils, businesses and the voluntary and community sector can take to mainstream reuse and drive growth in the reuse of products.

This paper sets out proposals on how this project could be taken forward.

Recommendation

That the Board **comment** on the proposals for the Reuse Commission project.

Action

To take forward the proposed project subject to Members' views.

Contact officer: Dan McCartney
Position: Adviser
Phone no: 020 7664 3238
E-mail: dan.mccartney@local.gov.uk

LGA Reuse Commission

Background

1. The amount of material councils currently report as reused is small by comparison to the whole waste stream. While official waste reporting may not capture all of the reuse activity that takes place, the real proportion of waste that is reused remains low. Material that could potentially be reused includes 149,000 tonnes of Waste Electronic and Electrical Equipment (WEEE), 165,000 tonnes of furniture and the majority of 1.4 million tonnes of textiles¹, which are currently disposed of via incineration or landfill each year resulting in a significant cost to councils and local tax payers.
2. There are economic and social as well as environmental benefits to increasing the amount of material that is re-used. By diverting material from disposal there can be both a saving to local authorities as well as an increase in economic activity as materials prepared for reuse have a value and can be traded at higher rates than disposal by-products. A thriving market in second hand products can bring additional jobs per tonne of material when compared to disposal², including activity by many voluntary and community sector groups. Reuse can also reduce environmental impacts in material production, distribution and disposal by giving products a second or extended life and thereby reducing the need for the production of new products.
3. The LGA's Wealth from Waste report proposed measures to foster a market for reused materials which included creating a standard to support increased consumer confidence and changes to the tax regime to boost the financial returns and bring more players to the market. The report proposed the establishment of a Reuse Commission to take these, and other related issues forward. This paper sets out the details of the project and next steps to take this proposal forward.

Objectives

4. The Reuse Commission presents the opportunity for the LGA to lead the way on development of policy and practice on reuse going beyond current ambition and achievements and to engage with key organisations that have an interest in reuse.
5. Proposed objectives for the commission are:
 - 5.1. Local authorities, government, voluntary and community sector and the waste industry better understand:
 - 5.1.1. the key barriers to and opportunities to increase the proportion of waste material reused;
 - 5.1.2. how an approach to mainstreaming reuse could provide additional value; and
 - 5.1.3. the means for increasing the value and income for reused materials.

¹ WRAP, Composition and reuse potential of household bulky waste in the UK August 2012.
<http://www.wrap.org.uk/sites/files/wrap/UK%20bulky%20waste%20summary.pdf>

² Friends of the Earth, More Jobs Less Waste, 2010.

- 5.2. Councils are recognised for their contribution in leading the promotion of reuse, going beyond current central government ambition;
- 5.3. Recommendations from the Commission are reflected in national party policies.

Deliverables

- 6. It is proposed that the Commission will develop and deliver the following:
 - 6.1. Identification of the opportunities, value and savings that could be delivered from an increase in reuse;
 - 6.2. A set of good practice models for local authorities to increase reuse (top 5 ideas);
 - 6.3. Case studies of how councils are working with the voluntary sector and businesses to increase re-use; and
 - 6.4. A set of proposals to:
 - 6.4.1. outline and promote a reuse quality standard to provide greater consumer confidence;
 - 6.4.2. provide tax breaks for reused and refurbished products;
 - 6.4.3. increase reuse within a revised WEEE system;
 - 6.4.4. maximise the opportunities for local authorities as part of the Social Value Act and the role increased reuse could have in meeting the new social value considerations within commissioning and procurement; and
 - 6.4.5. Identifying associated policy proposals that could address the barriers highlighted by the commission.

Membership and role of the Commission

- 7. The Commission will be led by nominated representatives from the Environment and Housing Board and include representatives from across the waste and reuse sector.
- 8. The organisations involved will provide high level input and help steer, develop and provide challenge to the Commission as well as ensuring it accesses the appropriate data and evidence from across the voluntary and business sectors to inform the findings. The LGA Environment and Housing Board and its representatives on the Commission will provide leadership to the Commission and the Board will decide on content and recommendations.
- 9. The Board is asked to discuss and agree organisations which should be invited to sit on the Commission.

Process and indicative timescales

- 10. It is envisaged that the Commission will meet as a group to initiate and shape the focus of work on reuse and secondly to input and provide challenge to emerging findings and recommendations.

11. Research and policy development work will be carried out by LGA officers, working with organisations represented on the Commission and other partners.
12. It is proposed that work on the commission begins in September and it is anticipated to report early in 2014.

Financial implications

13. The proposals within this paper can be delivered within the existing programme budget.

Outside Bodies and portfolio holders

Purpose of report

For approval.

Summary

This report sets out the Board's approach to portfolio holders and proposes that the Board appoints portfolio holders across the four main areas of the Board's remit. It also details the outside bodies and LGA structures to which the Environment and Housing Board is asked to appoint to for the 2013/14 meeting cycle.

Recommendations

The Board is asked to:

1. **agree** the Board's portfolio holders for the 2013/14 meeting cycle, as set out at **Appendix A**;
2. **agree** the Board's appointments to a refreshed list of outside bodies/LGA structures set out at **Appendix B**; and
3. **approve** the nominated appointments to these bodies/LGA structures for the 2013/14 meeting cycle.

Action

Appointments will be submitted to the October LGA Executive for endorsement.

Contact officer: Liam Paul
Position: Programme Support Officer
Phone no: 020 7664 3214
E-mail: Liam.paul@local.gov.uk

Outside Bodies and portfolio holders

Background

1. Given the diversity and breadth of policy and improvement work that the Environment and Housing Board covers, it is proposed that the Board appoints portfolio holders across the four main areas of the Board's remit. The portfolios outlined at **Appendix 4a** will allow members to further develop their experience and knowledge in specific areas, and also allow the Board to better meet commitments with a variety of Departmental and third sector working groups, and other event invitations.
2. The portfolio holders will not decide LGA policy positions, work programmes or projects in their areas. The Board and Lead Members) will remain the forum for collective decisions regarding the LGA's policy positions and objectives.

Role of portfolio holder

3. The portfolio holders will have a variety of roles, all of which are an extension of the role of members of the board:
 - 3.1 Develop or share expertise in a specific area(s) of the Board's work;
 - 3.2 Represent the LGA and the Environment and Housing Board at meetings, working groups and events;
 - 3.3 Engage at a national level with key stakeholders;
 - 3.4 Provide feedback to the Board and officers on engagement activity;
 - 3.5 Represent agreed Board lines rather than personal or party opinions; and,
 - 3.6 Develop awareness of practice in other authorities.
4. It is proposed that Board members can hold more than one portfolio. The Political Groups are asked to confirm portfolio holders in each of these areas.

The Board Lead members will retain responsibility for:

5. As the leaders of their respective political parties on the Board, Lead Members will retain responsibility for:
 - 5.1 Setting policy direction
 - 5.2 Setting the Board Meeting agendas (following wider member feedback)
 - 5.3 Agreeing media lines and policy responses to issues that arise between Boards
 - 5.4 Clearing policy positions, publications and submissions
 - 5.5 Select Committee evidence sessions
 - 5.6 Representing the Board at high-level meetings and events

Outside Bodies

6. The Local Government Association (LGA) currently benefits from a wide network of member representatives on outside bodies across a wide range of the LGA member structures.
7. In July 2009, the LGA Executive agreed a procedure for appointments to outside bodies to govern and monitor this network. This requires that all appointments to outside bodies are reviewed on an annual basis across the organisation to ensure that the aims and activities of those outside bodies remain pertinent to the LGA.

Appointment Process

8. Board Lead Members undertook a review over the summer of the bodies to which the Board appoints members to take into account bodies that have been abolished, new organisations that have been created and the LGA's priorities as set out in the 2013/14 Business Plan.
9. Based on this review, a refreshed list of outside bodies/LGA structures for the Environment and Housing Board to appoint to in 2013/14 was drawn up and this is attached at **Appendix B**.
10. A finalised list of Outside Bodies appointments should be agreed by the Board, in time to be endorsed by the LGA Executive in October.
11. The procedure for making appointment to outside bodies allows for each Board to determine their own appointment process, however it must be in line with the LGA Political Conventions which state that:

“Every effort will be made to ensure that all groups recognised by the Association are fairly represented on outside bodies both numerically and in terms of the range/type of appointments made. Each Board or Panel responsible for making appointments should agree the means by which this is achieved ... Appointments to individual outside bodies should reflect political balance where possible, subject to the constraints set by the number of appointments to individual bodies.”
12. The proportionate allocation and current representation on outside bodies is set out at **Appendix B**.
13. Lead Members have agreed to discuss and confirm allocation and representation following discussion with their political groups.

Portfolio Holders on the Environment and Housing board

Proposed Areas for Portfolio Holders:

The table below sets out the names of those board members who volunteered for areas last year, along with new members of the board who have expressed an interest in certain areas:

Portfolio	Conservative	Labour	Liberal Democrat	Independent
Growth - Housing		Tony Newman	Terry Stacy	Andrew Cooper
Growth - Planning		Ed Turner		Andrew Cooper
Waste	Clare Whelan	Clyde Loakes		
Energy Efficiency		Tim Moore	Keith House	Andrew Cooper

Representation on Outside Bodies

Background

1. The LGA currently benefits from a wide network of member representatives on outside bodies across all Boards. These appointments are reviewed on an annual basis across the Association to ensure that the aims and objectives of the outside bodies remain pertinent to the LGA.
2. Members are requested to consider and agree which members of their political group they wish to appoint to outside bodies, ensuring that the bodies to which they wish to appoint accurately reflect LGA priorities.
3. Members are also asked to consider and agree the Environment and Housing Board's representatives on the LGA's Urban and Rural Commissions.

Proportionality Figures 2013 / 2014

4. Members are asked to ensure that appointments for 2013 / 14 are in proportional to the political balance of the 18 Member Environment and Housing Board, with any deviations from political proportionality agreed by all four Lead Members. The current balance is:
7 Conservative, 7 Labour, 2 Liberal Democrat, 2 Independent
5. It is proposed that LGA representation on the Canal & River Trust Council is provided by the LGA Rural Commission. This leaves with a proportional spread of the allocations for 2013 / 14 as below:

Conservative (3), Labour (3), Liberal Democrat (1), Independent (1)

Current representation

6. The current allocation of seats on outside bodies is outlined below:

Conservative:	3
Labour:	3
Lib Dem:	0
Independent Group	1
<u>Vacancy</u>	<u>1</u>

List of Outside Bodies

Organisation	Background	Current representation
Planning Advisory Service Board	The PAS Governance Board has been set up to provide sector leadership to ensure the support offered by PAS is responsive to councils' needs and supports exchange of good practice. The aim is to support on-going improvement in plan making and decision taking including helping councils to avoid designation on performance on major applications. The Board consists of the LGA, DCLG Directors and representatives of	(Two representatives) Mike Jones (Conservative) Clyde Loakes (Labour)

	SOLACE, ADEPT and the Planning Officers Society.	
National Fly-tipping prevention group	The National Fly-tipping Prevention Group (NFTPG) is a group of organisations working with a common aim: coming up with solutions to the problem of fly-tipping. Chaired by the Environment Agency, membership includes regulatory bodies, Government departments and organisations with a wide membership of landowners and land managers.	(One representative) Clyde Loakes (Labour)
HCA Rural Housing Advisory Board	The Rural Housing Advisory Board's aim is to advise Government on and seek ways to improve delivery of affordable rural housing, promoting joint working between key stakeholders through the provision of a forum for sharing good practice and encouraging innovation. Three meetings are held in London each year for 2-3 hours.	(One representative) Vacancy
Climate Local Steering group	This newly formed steering group will replace the Climate Local / Nottingham Declaration Board and will provide a forum for councils and partners to influence the development of the resource.	(Two representatives) Tim Moore (LAB) / Andrew Cooper (Independent)
Canal & River Trust Council	<i>Canals and rivers managed by British Waterways in England and Wales, transferred to a charitable trust - now named Canal & River Trust - in April 2012.</i> <i>Within the governance structure of the Trust, a Council has a remit to safeguard the long-term values and purposes of the Trust. The Council will have an important role in helping to shape policy, raising and debating issues, and in providing guidance, perspective and a sounding board for Trustees.</i> <i>The full Council will meet two times a year.</i>	<i>Cllr Ken Hudson (Rural Commission – Conservative)</i>

Appointments to LGA bodies

LGA body	Background	Representatives
Urban Commission Steering Committee	The Urban Commission provides a forum LGA for member authorities whose areas are wholly or partly urban. The Urban Commission will act in a way that complements the principals of the LGA as a whole.	(One representative) Rock Feilding-Mellen (Conservative)
Rural Commission Steering Committee	The Rural Commission provides a forum LGA for member authorities whose areas are wholly or partly rural. The Rural Commission will act in a way that complements the principals of the LGA as a whole.	Vacancy

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
- Planning
- Draft Deregulation Bill
- Waste consultations
- Political Party conferences

Recommendations

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

Action

As directed by the Board.

Contact officer: Caroline Green
Position: Senior Adviser
Phone no: 0207 664 3359
E-mail: caroline.green@local.gov.uk

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 09 September and covers key policy developments relating to issues within the Board's remit that have taken place since the last Board meeting on 01 July 2013.

Housing

2. As part of the spending review announcements in June, the Government proposed to **pool £400 million from the New Homes Bonus** within LEP areas in 2015/16 as part of the Local Growth Fund. On 25 July the Government published a technical consultation on pooling the New Homes Bonus with responses due by 19 September. In response to the announcement the LGA highlighted that the proposals constitute an additional cut to local authority funding and will redistribute funding across a LEP area. This will have implications for investment plans and community confidence and will undermine the incentivising effect of the bonus. The LGA's draft response to the consultation has been shared with the Environment and Housing Board lead members and will be discussed by the LGA Executive on 12 September.
3. The Board has responded to the consultation on **tackling illegal immigration in privately rented properties** which proposes that landlords will be required to check the immigration status of tenants. Local authorities are not subject to these additional requirements. Our response stressed the importance of a quick and simple process, the risk of increased pressure on homelessness services and use of beds in sheds and landlords engaging in criminal practices. We supported the proposals to enable councils to take account of persistent breaches of requirements when determining whether a landlord is a fit and proper person under existing licensing regimes. The LGA response (sent to the Housing Minister Mark Prisk MP) is attached at **Appendix 5a**.
4. Following the Board's work on **bringing empty properties back into use**, we produced a good practice guide highlighting the work that councils are undertaking with partners to bring empty properties back into use. The guide, which is available on the LGA website, includes examples of funding and leasing approaches, use of enforcement powers and joint work with housing associations and voluntary sector providers.
5. On 20 August, the Government published a consultation on the outcome of the **Housing Standards Review**. In response to launch of the consultation, the LGA highlighted support for a streamlined and simplified framework of standards and it is crucial that they are set at a level which results in good quality homes. It is also crucial that new national standards do not undermine them or cause delays to councils' ability to get plans in place.

Planning

6. We published initial findings of updated research on the number of **unimplemented planning permissions** in August which secured significant media coverage and highlighted our arguments that planning is not a barrier to growth and for removal of the HRA borrowing cap. The full report will be available in September.

7. On 28 August the Government launched the new **national online planning guidance resource** for public testing and comment over a 6 week period. This will replace current planning practice guidance which will be cancelled when the final online guidance is in place and live which is expected to be later in the autumn. The LGA is asking councils to share their feedback on the revised guidance and new tool to inform our response.
8. The Government launched a consultation on **greater flexibilities for change of use** on 6 August to take forward its proposals for extensions to permitted development rights announced earlier in the year. The proposals include permitted development rights to allow small shops and agricultural buildings to change to residential. This will be subject to a prior approval process which will enable councils to take into consideration design, the potential negative economic impact, and provision of essential local services impact of the character of the local area. Councils will be able to charge a fee for prior approval. We will be submitting a response to the consultation which closes on 15 October.
9. Cllr Mike Jones will be meeting with the **Planning Minister Nick Boles MP** on 4 September to discuss the Board's priority areas of work on Planning. The Minister will also be attending the LGA Councillor's Forum on 12 September. Verbal feedback from both meetings will be provided at the Board meeting.

Draft Deregulation Bill

10. The Government published a **draft Deregulation Bill in July** which will be scrutinised by a joint committee of MPs and peers. The Bill covers a wide range of policy areas but includes two provisions relating to the Board's work on housing and waste. The first of these will reduce the period for which someone has to live in their social housing to qualify for Right to Buy and Right to Acquire from five to three years. The second will amend council's enforcement powers on how householders present their waste for collection. Positions on both of these provisions have been shared with lead members of the Environment and Housing Board and will form part of the LGA submission in response to the call for evidence on the Bill.

Waste consultations

11. A series of consultations have been launched on which officers are preparing high level responses which will be shared with lead members. They include:
 - 11.1. Consultation on waste targets (European Commission), due 10 September;
 - 11.2. Waste Prevention Programme (Defra), due 23 September; and
 - 11.3. Waste Planning Guidance (DCLG), due 23 September.

Energy

12. In July, we produced a paper on fuel poverty with DECC highlighting the range of ways that local authorities are leading local the effort to tackle fuel poverty and setting out a number of recommendations through which national policy can support effective action on the ground. The paper will be used to inform our future work and discussions with DECC on Fuel Poverty and energy efficiency. The paper is available on the LGA website:
http://www.local.gov.uk/web/guest/climate-change/-/journal_content/56/10171/4081892/ARTICLE-TEMPLATE

13. Cllr Mike Jones, Cllr Andrew Cooper, Cllr Tony Newman and Cllr Terry Stacy will be meeting Rt. Hon. Greg Barker MP, Minister of State with responsibility for Energy, on 2 September to discuss our work on fuel poverty and the future of energy efficiency schemes. A verbal update will be provided at the Board meeting.

Political Party conferences

14. **Appendix 5B** gives details of the LGA Members who will be officially representing the organisation on platforms relating to the work of the Environment and Housing Board at the Conservative, Labour and Liberal Democrat party conferences.

Mark Prisk MP
Minister of State for Housing
Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU

21 August 2013

Dear Mark,

Consultation on tackling illegal immigration in privately rented accommodation

Thank you for your letter to Sir Merrick Cockell inviting the LGA to comment on the Government's plans for introducing checks on illegal immigration in the private rented sector. He passed this on to me, as Chair of the LGA's Environment and Housing Board.

We agree that the policy should not apply to tenants nominated to social housing by local authorities or to private rented accommodation secured by local authorities for homeless households under the existing legislation. It would be disproportionate to introduce secondary checks here.

With regard to the proposals for checks in the private rented sector, there is a risk that more people will present as homeless if the checks delay their access to housing or they lose their accommodation while tests are carried out. It is therefore important that the checking process is responsive and efficient to ensure people are not delayed in accessing accommodation, including cases that are being dealt with by councils at an earlier stage of homelessness.

There is a minority of landlords who do not have regard to rules and regulations and there is a risk that the checking process will drive more people towards landlords who operate outside the rules. Local authorities target their enforcement action at the worst performing landlords, and you will be familiar with their proactive work with the Home Office and other enforcement agencies through recent initiatives on "beds in sheds". Landlords who knowingly house illegal immigrants are likely to be committing other housing or criminal offences, and government could go further than the existing proposals to look at simplifying and removing restrictions on the use of enforcement and improvement tools such as licensing regimes and article 4 directions. We know that licensing can be a useful tool in designing local solutions to improving the quality of private rented housing, as seen in Newham and Bristol City Council for example. It does not go far enough in giving

councils the flexibility to respond to local needs, and more could be done to make this an effective option.

We agree that repeated breaches of the immigration checks by landlords should lead to significant penalties and that local authorities may wish to consider this as part of the fit and proper person test for HMO licensing. It will be best for tenants and all landlords if the worst offenders are prevented from operating, but councils must have an effective route to enforce this. The drafting of the legislation and guidance must be done in a way that allows local authorities to refuse licenses on this basis, without leaving room for debate or costly legal challenge from landlords.

I look forward to the next stage of development and welcome further discussion of the proposals.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mike Jones', written over a horizontal dashed line.

Councillor Mike Jones
Chairman, LGA Environment and Housing Board

Political Party conferences

LGA activities at the 2013 party conferences

1. The LGA will be holding a corporate reception at each of the three main party political conferences this year to publicise the *Rewiring Public Services* campaign. Each reception features a front bench party spokesperson. At the time of writing, the Deputy Prime Minister and Leader of the Opposition have been confirmed for the Liberal Democrat and Labour events, with an invitation extended to Secretary of State for Communities and Local Government for the Conservative reception.
2. As part of the LGA's efforts to influence the 2015 party manifestos, a fringe event is being held at Liberal Democrat conference to debate the content of *Rewiring Public Services*. Panellists include:
 - 2.1 Chair: Mayor Dorothy Thornhill, Deputy Leader of LGA Liberal Democrat Group, elected Mayor of Watford;
 - 2.2 Rt. Hon. Don Foster MP, Parliamentary Under-Secretary of State for Communities and Local Government;
 - 2.3 Lord Shipley;
 - 2.4 Annette Brooke MP, Co-Chair of Liberal Democrat backbench CLG Committee; and
 - 2.5 Cllr Ruth Dombey, Leader of London Borough of Sutton.

Environment and Housing Board at the party conferences

3. The LGA has also proactively sourced over eighty speaking platforms for member councillors across the three events, offering a bespoke briefing for each opportunity. See below for a selection of those events sourced by the LGA for member councillors, on subjects related to the work programme of the Environment and Housing Board:
 - 3.1 **Can planning deliver the homes and places we need?**
 - 3.1.1 Private roundtable organised by the RTPI being held at Lib Dem, Labour and Conservative conferences. Cllr House, Cllr Loakes and Cllr Jones attending.
 - 3.2 **No time to waste? How can we stop wasting food?**
 - 3.2.1 A fringe event organised by the Co-Op that is being held at the Lib Dem and Labour conferences; Cllr Stacy and Cllr Loakes are speaking.
 - 3.3 **The housing fringe**
 - 3.3.1 A fringe event organised by Gentoo, Mears, Moat, One Housing Group and The Hyde Group at Labour conference. Cllr Turner is speaking.

3.4 Housing and dementia care

- 3.4.1 Private lunch organised by the Alzheimer’s Society. Cllr Louise Goldsmith attending at Conservative conference; Cllr Steve Bedser and Cllr Jonathan McShane attending at Labour conference; and Cllr Doreen Huddart and Cllr Katie Hall attending at Liberal Democrat conference (all are LGA Community Wellbeing Board members).

3.5 Homes Fit for Families: Achieving a quality, safe, competitive private rented sector

- 3.5.1 A fringe event organised by the Residents Landlords Association at Labour conference; Cllr Loakes is speaking.

3.6 What Homes Where?

- 3.6.1 A fringe event organised by the TCPA and Crest Nicholson at Labour and Conservative conferences; Cllr Loakes and Cllr Jones is speaking.

3.7 Finding happiness in housing: how can we build more new homes?

- 3.7.1 A fringe event organised by the Federation of Master Builders and National Federation of Builders at Conservative conference. Cllr Gary Porter is chairing.

3.8 Homes for Britain reception

- 3.8.1 A reception organised at the Conservative conference by the National Housing Federation. LGA chairman Sir Merrick Cockell is speaking.

4. Details of all the public events that the LGA is involved in across the three party conferences, including the LGA’s own receptions and fringe event, can be found online at <http://www.local.gov.uk/party-conferences>

Membership, Terms of reference and Remit of the board.

Purpose of report

To note the Environment and Housing Board's Membership, Terms of Reference and Remit for 2013/14.

Summary

The Board's Membership is **enclosed at the front of Agenda papers**, the Terms of Reference and Remit are attached as **Appendix A** to this report.

Recommendation

That the Environment and Housing Board note its Membership, Terms of Reference and Remit for 2012/13.

Action

No further action necessary.

Contact officer:

Liam Paul

Position:

Project Support Officer, Member Services

Phone no:

020 7664 3124

E-mail:

Liam.paul@local.gov.uk

LGA Environment and Housing Programme Board

Terms of Reference

The purpose of the Environment and Housing Programme Board is to provide strategic oversight of all the LGA's policy, regulatory and improvement activity in relation to the sustainability of the environment, including issues of housing, planning and waste, in line with the LGA priorities.

Programme Boards should seek to involve councillors in supporting the delivery of these priorities (through task groups, Rural and Urban Commissions, Special Interest Groups (SIGs), regional networks and other means of wider engagement); essentially operating as the centre of a network connecting to all councils and drawing on the expertise of key advisors from the sector.

The Environment and Housing Programme Board will be responsible for:

1. Developing a thorough understanding of council priorities and performance in the areas of responsibility, using strong networks and robust information.
2. Helping to shape the LGA Business Plan by ensuring the priorities of the sector are fed into the process.
3. Overseeing a programme of work to deliver the strategic priorities set by the LGA Executive, covering lobbying/campaigns, research/policy, good practice, improvement support and events – as specified in the business plan, taking into account linkages with other policy boards where appropriate.
4. Representational and lobbying activities on behalf of the LGA and responsibility for the promulgation of activity through public statements in its areas of responsibility.
5. Building and maintaining effective relationships with key stakeholders.

The Environment and Housing Programme Board may:

- Appoint members to relevant outside bodies in accordance with guidance in the Political Conventions.
- Appoint member champions where appropriate (who must be a current member of the Board) on key issues, with responsibility for liaising with portfolio holders on key issues that require rapid response/contact with councils.

Note of decisions taken and actions required

Title: Environment and Housing Board

Date and time: 15.00, Monday 01 July

Venue: Westminster Suite

Attendance:

Position	Councillor	Council
Chairman	Mike Jones	Cheshire West and Cheshire
Vice chair	Clyde Loakes	Waltham Forest LB
Deputy chairs	Keith House	Eastleigh BC
	Andrew Cooper	Kirklees MBC
Members	Clare Whelan	Lambeth LB
	Eric Allen	Sutton LB
	Geoffrey Theobald OBE	Brighton & Hove City Council
	Brian Williams	Shropshire Council
	Jim Harker	Northamptonshire CC
	Tim Moore	Liverpool City Council
	Barbara Cannon	Allerdale BC
	Terry Stacy JP MBE	Islington LB
	Simon Galton	Leicestershire CC
Apologies	Gwen Hassall	Stoke-on-Trent City Council
	Ed Turner	Oxford City Council
	Clare Pritchard	Hyndburn BC
	Frances Roden	Stroud DC
	Tony Newman	Croydon LB
	Chris Pillai	Calderdale MBC
In attendance	Paul Raynes	LGA
	Caroline Green	LGA
	Liam Paul	LGA

Item	Decisions and actions	Action by
1.	<p>Wealth from Waste – the LGA local waste review</p> <p>Members received an update on the Waste Review from Cllr Clyde Loakes. He welcomed the document’s clear statement of leadership for the waste management sector and explained that the report had been well received by both the Waste Management industry and local government. The DEFRA Minister with responsibility for waste, Lord de Mauley, had confirmed his department’s participation in the LGA’s proposed Re-use Commission at the report’s launch event.</p> <p>In discussion Members welcomed the focus on growth within the document and the definition of waste as a resource. The Officers and Members of the Board who worked on the Review were thanked for their efforts. Members also recommended that the money-saving potential of effective waste management and the waste prevention agenda be highlighted as the Waste Review is communicated to stakeholders.</p> <p>Decision</p> <p>Members of the Board:</p> <ol style="list-style-type: none"> 1) agreed that a meeting to be organised between Mary Creagh MP, Shadow Minister for Waste, Cllr Clyde Loakes and Cllr Mike Jones; 2) agreed that a meeting to be set up between Cllr Mike Jones and the Associate Parliamentary Sustainable Resources group in light of their inquiry into the export of waste; and 3) agreed work to take the review and its recommendations forward, as per discussion of priorities and work programme for next year discussed at <u>Agenda Item 4.</u> 	<p>Action</p> <p>Dan McCartney / Liam Paul</p> <p>Dan McCartney / Liam Paul</p>
2.	<p>Environment and Housing Board Review of the year</p> <p>Members received a summary of the Board’s achievements since September 2012 and made the following comments:</p> <p><i>Housing – Unimplemented permissions</i> – Members discussed recent discussion and media coverage of the LGA’s figure of 400,000 unimplemented planning permissions and requested an updated set of figures. It was noted that should local Government be able to reach a point where all councils have a 5-year supply of housing it would be a powerful point to make in defence of local autonomy.</p> <p><i>Waste</i> - Members noted the success of the Waste Judicial Review and work on the MRF Code of Practice, and welcomed the beginnings of an emerging shift in public perceptions of waste.</p> <p><i>Carbon Reduction and sustainability</i> – Members commented that progress had been made in a difficult policy area and that the LGA’s policy position on initiatives such as the Green Deal has been validated by events. In future the LGA must be ready to offer the Government further proposals to improve the Green Deal. It was noted that currently the design of the ECO element disproportionately benefits the devolved administrations due to their ability to offer match funding for projects.</p>	

Flooding – Members welcomed the inclusion of both higher levels of funding for flood defences; and the Government commitment to a replacement for the existing flood insurance statement of principles announced in the Spending Review. The LGA has applied consistent lobbying pressure to both parties.

PAS – New governance arrangements for the Planning Advisory Service (PAS) have been successfully established. The PAS Board is in the process of finalising PAS's objectives and work programme.

Decisions

Actions

Members of the Board:

- 1) **requested** the LGA's figure of 400,00 unimplemented permissions be updated along with a breakdown showing the proportions of the figure which relate to sites that have not yet begun work and those which are stalled sites; and
- 2) **noted** the achievements against the objectives and deliverables agreed for 2012/13.

**Clarissa
Corbisiero /
Caroline Green**

3. Responding to the LGA funding challenge

Members noted an update on the LGA's funding position and the resultant changes to the Environment and Housing team. As per last year the team's projects and workload would be determined by the Board but the total amount of work to be done must match the available staffing resources. The Chairman added that the way of working over the 2012-2013 political year had led to clearer outputs and results against the objectives set.

Decisions

Actions

Members **noted** the changes to the LGA's Policy and Finance team and the implications for the Board's projects and ways of working in 2013-14.

None.

4. Priorities and Work Programme for 2013 - 14

Members noted the outline work programme for the coming year, making the following comments:

Increasing housing supply – This strand was identified as a top priority by the Chairman of the Board.

Managing the housing implications of Welfare reform – Members suggested that this section be strengthened.

Strategic planning for infrastructure and growth – Fracking – Members sought an addition to the work programme to include work to establish a suitable planning process for fracking, which recognises an appropriate role for councils and gives consideration to the community benefit and environmental impacts of any scheme.

Strategic planning for infrastructure and growth – working with cultural, heritage and sporting assets to encourage growth – Members suggested the removal of this project from the work plan, although it

was noted that this was joint work with the Culture Tourism and Sport Board and its handling would need to be agreed by both groups of members.

Waste - A more ambitious agreement to reduce packaging waste – It was noted that the project plan in this area required further refinement and that the wording should be revised.

Energy Efficiency - Exploration of trading standards and consumer protection issues arising from the marketing and targeting of energy efficiency programmes – Members suggested the removal of this project from the work plan.

Climate Local – Members agreed that consideration is given to identifying specific contributions that the Climate Local programme could make to delivering each of the Board's priorities.

Decisions

Actions

Members of the Board:

- 1) **agreed** the suggested priorities and areas of focus set out at paragraphs 8, 10, 12 and 14 of the report as a broad framework for next year's work plan, noting that officers would further develop and refine proposals on the 13 projects set out in this report over the summer;
- 2) **noted** that the work plan would require projects to be sequenced and in some cases prioritised over the 2013-14 year; and
- 3) **noted** that the work plan allows for a level of reactive work to respond to issues, opportunities and challenges as they arrive, but that any new substantial projects would necessarily displace or de-prioritise others in the work plan to ensure resources are not overstretched.

5. Environment and Housing Board Update

Members noted the LGA's policy positions and lobbying work on the items contained within the update paper and that the National Adaptation Plan Report had been published on 01 July.

Decisions

Action

Members of the Board **requested** that a briefing note be produced to explore any asks upon, or opportunities for local government in response to the recent publication of the National Adaptation Plan Report.

**Lucy Breeze /
Kamal Panchal**

6. Any other business

There was no other business.

7. Decisions and actions from previous meeting

Members **noted** and **approved** the notes of the last meeting, subject to correction of Cllr Brian Williams' role

Liam Paul

LGA location map

Local Government Association

Local Government House
Smith Square
London SW1P 3HZ

Tel: 020 7664 3131

Fax: 020 7664 3030

Email: info@local.gov.uk

Website: www.local.gov.uk

Public transport

Local Government House is well served by public transport. The nearest mainline stations are:

58 Victoria and Waterloo: the local underground stations are

St James's Park (Circle and District Lines), **Westminster** (Circle, District and Jubilee Lines), and **Pimlico** (Victoria Line) - all about 10 minutes walk away.

Buses 3 and 87 travel along Millbank, and the 507 between Victoria and Waterloo stops in Horseferry Road close to Dean Bradley Street.

Bus routes – Horseferry Road

507 Waterloo - Victoria

C10 Canada Water - Pimlico - Victoria

88 Camden Town - Whitehall - Westminster - Pimlico - Clapham Common

Bus routes – Millbank

87 Wandsworth - Aldwych

3 Crystal Palace - Brixton - Oxford Circus

For further information, visit the Transport for London website at www.tfl.gov.uk

Cycling facilities

The nearest Barclays cycle hire racks are in Smith Square. Cycle racks are also available at Local Government House. Please telephone the LGA on 020 7664 3131.

Central London Congestion Charging Zone

Local Government House is located within the congestion charging zone.

For further details, please call 0845 900 1234 or visit the website at www.cclondon.com

Car parks

Abingdon Street Car Park (off Great College Street)

Horseferry Road Car Park
Horseferry Road/Arneway Street. Visit the website at www.westminster.gov.uk/parking

