

Environment and Housing Board update

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
- Waste
- Climate Local

Recommendation

The Board is asked to note the updates provided.

Action

As directed by the Board.

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Environment and Housing update paper

New Ministers and Shadow Ministers

1. Following the October re-shuffle Mike Jones wrote to the following new Ministers and shadow Ministers to highlight the board's priority areas of work and invite meetings to discuss the key issues.
 - 1.1. Kris Hopkins MP (Conservative, Keighley) – Minister for Housing (also has responsibility for local growth, cities and regeneration, Thames Gateway, troubled families and planning in relation to wind farms).
 - 1.2. Dan Rogerson MP (Conservative, North Cornwall) - Parliamentary Under Secretary of State for water, forestry, rural affairs and resource management (this includes flooding and waste).
 - 1.3. Stephen Williams MP (Liberal Democrat, Bristol West)- Parliamentary Under Secretary of State for Communities and Local Government (integration and race equality, localism, decentralisation and community rights, building regulations and standards, empty homes, climate change and sustainable development).
 - 1.4. Emma Reynolds MP (Labour, Wolverhampton North East) – Shadow Housing Minister.
 - 1.5. Maria Eagle MP (Labour, Garston and Halewood) – Shadow Environment Secretary.

Planning

2. Our response to the consultation on the outcome of the **housing standards review** supported rationalisation of standards to reduce complexity and duplication whilst highlighting the important role of standards in ensuring good quality housing. It also raised concerns that the proposals could cause complication and delay for councils in getting local development plans in place and makes recommendations for resolving these issues. The response can be found on the LGA website. Cllr Ed Turner also gave oral evidence to the Environmental Audit Select Committee as part of the Committee's inquiry into the 'Code for Sustainable Homes and the Housing Standards Review'.
3. We also submitted a response to the consultation on **greater flexibilities for change of use** which proposes to take forward Government's proposals for extensions to permitted development rights announced earlier this year. Our response set out the agreed LGA position on changes to permitted development which opposes national level extension of rights and supports local determination. Without prejudice to that position our response says that if government are to go ahead with proposals for change of use from retail to residential, this should be subject to prior approval allowing councils to take into account the impact on the local economy and character of an area. We also briefed MPs on the LGA's position on permitted development, change of use and clustering on high streets ahead of an Opposition Day debate on **high streets and change to use orders**. The consultation response and LGA briefing can be found on the LGA website.
4. The Board also responded to the new **national online planning practice guidance** resource which was open for public testing and comment for a 6 week period. Our

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response was supportive of the progress that had been made to consolidate the existing guidance into a more focused online resource which took on board much of our earlier feedback. We stressed that Government should ensure there is a clear and simple mechanism for councils and others to highlight any issues or unintended consequences of the new guidance and that the impact of the guidance should be evaluated after 12 months to assess its effectiveness in meeting the objectives of the review. The LGA response (sent to the Planning Minister, Nick Boles MP) can be found in **Appendix A**.

5. The Government have responded to the consultation which took place earlier this year on changes to the **Community Infrastructure Levy regulations**. Key changes include the limitation on pooling S106 pooling has been moved back by one year to April 2015, payment in kind has been introduced, the vacancy test has been altered, people building or extending their own homes are exempted from CIL. The Board's had argued for longer transition arrangements and that changes should be based on evidence and avoid excessive administration cost, delay and complexity.
6. Sir Merrick Cockell will be meeting with the Rt Hon Lord Chris Smith of Finsbury, **Chairman of the Environment Agency** on 5 November to discuss the Board's priority areas of work on planning and flooding and opportunities for joint working. Verbal feedback from the meeting will be provided at the Board meeting.

Planning Advisory Service (PAS)

7. Planning Minister, Nick Boles MP, visited the PAS team in November to hear about their work and opinions on the planning system. He seemed duly impressed with the breadth and range of support work being delivered to authorities.
8. The PAS governance board met in November. The Board considered a report of progress towards performance measures. Work is progressing well in most of the priority areas. There will be a further update at the next Board in February.

Housing

9. In line with the Board's priority to support new housing supply the LGA published a set of **good practice principles to support the self-financed Housing Revenue Account**. This guide for elected members sets out important principles and core questions to consider when managing the stock and accounting to tenants for the investment and management decisions the authority makes over the long term. The guide, developed in partnership with CIH and CIPFA is designed to support elected members by sharing good practice and lessons learned from the first year of self-financing.
10. The Board agreed at its September meeting help councils to **secure increased investment in housing** for their area and develop proposals to overcome barriers to private investment. The project is being developed currently and will include detailed discussions with local authorities to develop a series of good practice models and to work with the Improvement and Innovation Board to support its work to develop an institutionally funded housing offer for a group of local authorities. A combination of research activity and soft market testing with both councils and potential funders is planned between October and December, with the aim of more formally engaging both sectors in the New Year.

11. **Case study guide on housing supply and growth** – we have published a collection of case studies highlighting how councils are taking action to unlock growth and get housing developments moving. The guide is available on the LGA website and includes sections on meeting housing need in areas of high demand, challenging housing markets and rural areas.

LGA oral evidence to Draft Deregulation Bill Committee

12. On 4 November, Cllr David Simmonds (Chair, LGA Children and Young People Board) and Paul Raynes (Head of Programmes, Environment Localism and Welfare, LGA) [gave oral evidence to the Draft Deregulation Bill Committee](#), on behalf of the Local Government Association. Cllr Simmonds highlighted the largely positive reception which the draft legislation had received amongst local government, drawing on the LGA's position as detailed within our [written submission](#) to the Committee. However, he also used the session to detail the LGA's concerns and where the sector feels the draft legislation could be used as an "exciting opportunity".
13. On **Right to Buy**, Cllr Simmonds called for councils to be given the ability to set the discount locally, and for receipts from sales to be returned directly to local authorities, describing the current model for return of receipts as a "barrier" to housing investment.
14. On the **removal of waste enforcement powers**, he noted the LGA's reservations and stressed that the move must not undo all the positive work councils have undertaken in respect to increasing recycling rates.
15. The **removal of the duty on local authorities to consult** was also raised, in response to which Cllr Simmonds eased concerns within the Committee that local authorities would still consult extensively with their local communities through a variety of means, but that the proposal within the draft bill would bring to an end the unrequired and burdensome tick box system which had emerged.
16. Finally, committee members raised the proposed **growth duty** for discussion. In response, Cllr Simmonds highlighted that generating economic propensity was at the forefront of councillors' minds, and something which was central to the LGA's *Rewiring Public Services* campaign. He went on to note that driving growth locally requires a joined up approach with partners such as LEPs.

Waste

17. The LGA responded to correspondence from Lord de Mauley on the issue of separate collection of waste. The LGA has stressed the importance of clear guidance on this issue that reflects the requirement of the Waste Framework Directive. Lord de Mauley's letter and the LGA's response is attached at **Appendices B and C** respectively.
18. The LGA launched its **Reuse Commission** on 31 October. The Reuse Commission was one of the key recommendations of the Wealth from Waste report this summer. The Commission, chaired by Cllr Loakes has had its first meeting discussing demand for reused products including tax breaks for reuse organisations and the development of a reuse standard to provide consumers with increased confidence. The second meeting in late November will concentrate on supply of products and the opportunities for councils to divert more material for reuse. The Commission will report its findings in January.

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19. As part of the Commission we have issued a **call for examples and case studies** of council efforts to increase the amount of material reused. Responses to be send to dan.mccartney@local.gov.uk by 29 November.
20. Cllr Jones gave evidence on the recast of the WEEE directive to the **Associate Parliamentary Sustainable Resource Group (APSRG)**. Councillor Jones highlighted the important role local authorities play to help the UK meet its WEEE targets and that it was positive that this role had been acknowledged by the government by enabling councils to manage WEEE streams themselves and ensure local authorities have their WEEE collected with no additional costs. Cllr Jones also stressed the importance of local authority involvement in setting compliance fees and receiving that fee and the opportunity that had been missed by the Government's recent proposals to incentivise reuse.
21. Further to discussion at the Environment and Housing Board, **Cllr Jones met with Caroline Spellman MP** to discuss the LGA's Wealth from Waste report and the Associate Parliamentary Sustainable Resource Group inquiry into waste export. The importance of establishing a level playing field on the compliance regimes was highlighted and was an area that the inquiry was looking at in some detail. Cllr Jones raised the importance of providing capital funding to invest in infrastructure to support ongoing advances in increasing the quality of recyclate. The LGA has submitted written evidence to the inquiry setting out the key relevant recommendations from the Wealth from Waste report and to support the inquiry to highlight the findings of the report to the department for Business Innovation and Skills to stress the opportunity to support the waste industry as an advanced manufacturing industry.

Climate Local

22. Climate Local road shows have taken place in Manchester, Birmingham, Exeter and Cambridge. Over 160 people attended the events to find out more about the LGA's initiative and the tools and support available for councils wishing to take action on climate change. Delegates heard from councils who are using the initiative to support local jobs and growth, generate income, reduce energy costs, protect vulnerable communities and increase community cohesion. The number of Climate Local signatories has risen to 79, with the Kent Partnership being the first to publish their first year achievements. Kent's successes include working with 166 SMEs to achieve annual savings of over £2,000 per business, an energy switching scheme which helped 2,500 residents save £255,000 on their energy bills and investment in new sea defences to protect 1,750 homes and businesses from coastal flooding.