

# Environment, Economy, Housing and Transport Board

Agenda

Wednesday, 2 December 2015  
11.00 am

Smith Square 1&2, Ground Floor, Local  
Government House, Smith Square, London,  
SW1P 3HZ

**To:** Members of the Environment, Economy, Housing and Transport Board  
**cc:** Named officers for briefing purposes

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Environment, Economy, Housing & Transport Board  
2 December 2015

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There will be a meeting of the Environment, Economy, Housing & Transport Board at **11.00 am on Wednesday, 2 December 2015** Smith Square 1&2, Ground Floor, Local Government House, Smith Square, London, SW1P 3HZ.

A sandwich lunch will be available after the meeting.

**Attendance Sheet:**

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<b>Conservative:</b>	Group Office: 020 7664 3223	email: <a href="mailto:lgaconservatives@local.gov.uk">lgaconservatives@local.gov.uk</a>
<b>Labour:</b>	Group Office: 020 7664 3334	email: <a href="mailto:Labour.GroupLGA@local.gov.uk">Labour.GroupLGA@local.gov.uk</a>
<b>Independent:</b>	Group Office: 020 7664 3224	email: <a href="mailto:independent.group@local.gov.uk">independent.group@local.gov.uk</a>
<b>Liberal Democrat:</b>	Group Office: 020 7664 3235	email: <a href="mailto:libdem@local.gov.uk">libdem@local.gov.uk</a>

**Location:**

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

**LGA Contact:**

Paul Goodchild  
0207 664 3005 / [paul.goodchild@local.gov.uk](mailto:paul.goodchild@local.gov.uk)

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## Environment, Economy, Housing & Transport Board – Membership 2015/2016

Councillor	Authority
<b>Conservative ( 7 )</b>	
Cllr Martin Tett (Vice-Chair)	Buckinghamshire County Council
Cllr Steve Count	Cambridgeshire County Council
Cllr Jim Harker OBE	Northamptonshire County Council
Cllr Jason Ablewhite	Huntingdonshire District Council
Cllr Simon Cooke	Bradford Metropolitan District Council
Cllr Peter Fleming OBE	Sevenoaks District Council
Cllr David Westley	West Lancashire Borough Council
<b>Substitutes</b>	
Cllr Mark Mills-Bishop	Broxbourne Borough Council
<b>Labour ( 7 )</b>	
Cllr Peter Box CBE (Chair)	Wakefield Metropolitan District Council
Cllr Timothy Moore	Liverpool City Council
Cllr Tony Newman	Croydon Council
Cllr Ed Turner	Oxford City Council
Cllr Alyson Barnes	Rossendale Borough Council
Cllr Gillian Campbell	Blackpool Council
Cllr Simon Greaves	Bassetlaw District Council
<b>Substitutes</b>	
Cllr Sarah Russell	Derby City Council
<b>Independent ( 2 )</b>	
Cllr John Northcott (Deputy Chair)	Mole Valley District Council
Cllr Julian German	Cornwall Council
<b>Substitutes</b>	
Cllr Andrew Cooper	Kirklees Metropolitan Council
Cllr Mike Haines	Teignbridge District Council
Cllr Anne Hawkesworth	Bradford Metropolitan District Council
Cllr Geoff Knight	Lancaster City Council
<b>Liberal Democrat ( 2 )</b>	
Cllr Keith House (Deputy Chair)	Eastleigh Borough Council
Cllr Adele Morris	Southwark Council
<b>Substitutes</b>	
Cllr Simon Galton	Harborough District Council

## Agenda

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### Environment, Economy, Housing & Transport Board

Wednesday 2 December 2015

11.00 am

Smith Square 1&2, Ground Floor, Local Government House, Smith Square, London, SW1P 3HZ

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**Date of Next Meeting:** Wednesday, 16 March 2016, 11.00 am, Rathbone Rooms 1&2, 7th Floor, Local Government House, Smith Square, London, SW1P 3HZ



## Housing and Planning Update

### Purpose

For discussion and direction.

### Summary

This paper updates and seeks a steer on the Board's policy and lobbying work on current housing and planning reforms, including the Housing and Planning Bill and the Welfare Reform and Work Bill, and recent Spending Review announcements.

The Board will also hear a presentation from Neal Hudson, Executive Director of Research at Savills, on the research the Board has commissioned on the impacts of housing reforms on housing supply and tenure of stock.

### Recommendation

Members are asked to: comment on and provide a steer for LGA activity on housing and planning issues.

### Action

To be taken forward as directed.

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## Housing and Planning Update

### Background

1. This paper updates and seeks a steer on the Board's policy and lobbying work on current housing and planning reforms, including the Housing and Planning Bill and the Welfare Reform and Work Bill, and recent Spending Review announcements.

### Spending review

2. The full LGA Spending Review [On the Day Briefing](#) is available online. New housing and planning proposals include:
  - 2.1. **Help to Buy shared ownership.** Government will allow more people to buy a share in their home, a scheme will be open to all households earning less than 80,000 outside London and 90,000 in London and will relax and remove restrictions such as local authorities' rights to set additional eligibility criteria. The Board will seek more detail with government on the implications for councils and their tenants, the LGA has argued councils should be free to manage their assets and that they should not be forced to off shared ownership schemes where it does not best meet local housing need.
  - 2.2. **Public land and assets.** Councils will have welcome flexibilities to spend 100 per cent of their fixed asset receipts on the revenue costs of reform projects. Government will seek to further encourage councils to release surplus assets by requiring councils to record details of their assets, extending the One Public Estate programme, and providing more support to dispose of council sites to be used for housing. Councils are set to bring forward a significant amount of land for homes, and the Board has encouraged government to match this ambition by allowing councils the power to direct surplus public land and to retain 10 per cent of generated receipts locally.
  - 2.3. **Housing Benefit cap.** Government will cap the amount of rent that Housing Benefit will cover in the social sector to the relevant Local Housing Allowance. Councils already charge the lowest rents of all providers and it is important that they are able to meet their statutory duties to house vulnerable tenants. The measure will likely have a greater impact on Register Social Landlords that charge higher rents on average.
  - 2.4. **Homelessness and temporary accommodation.** Government will increase funding to invest in innovative ways of preventing homelessness and reform the current management fee funding mechanism for temporary accommodation. The Board will work with government to understand the implications of this, and to ensure that councils are fully funded for meeting their obligations to provide temporary accommodation.
3. Further proposals impacting on existing reforms, such as on Starter Homes, are included into the following sections.



## Housing and Planning Bill

4. The Housing and Planning Bill includes a range of proposals that will impact on local government's capacity to meet housing duties and to carry out functions as local planning authorities, and it will significantly impact councils with housing stock.
5. The LGA briefing on the first reading summarises proposals and initial views, including:
  - 5.1. **Extension of Right to Buy to housing association tenants.** The Board has projected the discount will cost a minimum £6 billion up to 2020 and continues to argue that discounts must not be funded by forcing councils to sell homes. It is pushing alternative funding sources, for instance by developing on the wider public estate. The Board has opened discussions with government and housing associations on the repercussions of the voluntary agreement to deliver the extended Right to Buy, for instance on the tenure and location of replacements, and on the potential de-regulation package for housing associations.
  - 5.2. **Forced sale of high value council homes.** The Board continues to argue that councils should be free to manage their stock as appropriate and retain 100 per cent of all receipts from sales, and is opposing the use of a national formula to generate a payment for each council to pay into government. The Board has also been exploring and pushing a range of mitigating exemptions, caps and flexibilities that would enable councils to reduce the impact of the policy on communities.
  - 5.3. **Mandatory rents for high income tenants.** The Board continues to expose challenges in implementing Pay to Stay, calling for a voluntary implementation rather than mandatory so that councils can ensure homes remain affordable for tenants and incentivises them to increase earnings; retain and reinvest additional rental income into housing stock, and; manage down administrative burdens.
  - 5.4. **Rogue landlords.** The Board continues to push for tougher penalties on persistent rogue landlords. The Bill introduces a range of new measures that are welcome provided new duties on councils are funded, the Board is pushing for this to go further and for magistrates to have the powers to award tougher sentences, which could include jail, for the worst offenders.
  - 5.5. **Delivering 200,000 Starter Homes.** The Board has continued to push the case for local planning authorities to have the powers and flexibilities to shape the delivery of starter homes alongside sub-market rented housing in line with their local assessments of need and viability, including the local connection test. It is arguing for starter home discounts to remain in perpetuity until a local planning authority determines that there is no longer need for discounted home ownership products. In the Spending Review, government has made £2.3 billion available for developers to support the delivery of up to 60,000 starter homes. The Board continues to expose the impact of exempting Section 106 and Community Infrastructure Levy from Starter Homes, reducing investment in infrastructure and affordable rented homes.
  - 5.6. **Permission in principle.** The Board continues to make the case for locally led planning responding to the needs of local communities and employers, and is expressing concern with proposals for government to be able to grant 'permission in principle' to identified sites in Local Plans, in neighbourhood plans, and to the Brownfield Register. It is working with government to ensure that councils will have the influence, for instance through the technical details, to ensure developments meet local need.

### **Welfare Reform and Work Bill**

6. The Board has led the LGA's response to the housing elements of the Welfare Reform and Work Bill, focusing on:
  - 6.1. **Requirement to reduce social rents by 1 per cent a year over 4 years.** The Board is continuing to argue that councils should not be subject to required rental reductions, which would cost £2.6 billion up to 2020 and leave a gap of £1 billion thereafter. The majority of council tenants claim housing benefit and would not gain from the proposal, which largely generates increased savings for government. The Board is exploring other mitigating proposals, such as exemptions to protect investment in key properties, mandatory consultation with tenants on any rent changes, and the re-establishment of self-financing agreement from 2020.
  - 6.2. **Exemption of temporary accommodation from the benefit cap.** The Board continues to make the case to protect investment into temporary accommodation which can be more expensive and for which demand will likely increase, at least in the short term, should sales of sub-market rented homes spike before replacements can be built in coming years.

### **Other active policy areas**

7. Public land – the Board is working with the government to explore how councils can enable the development of the wider public estate including a new power to direct the sale of surplus public land.
8. Skills to build – the Board is working with the Construction Industry Training Board to further evidence the need to adapt to increasing demand for construction skills
9. Review of lifetime tenancies – the LGA is working with officials to ensure that councils have the freedom to manage local tenancy strategies as appropriate locally.
10. Local Plans review group – the Board has engaged with the review team, submitting written evidence and meeting to push for the simplification of the plan-making process.
11. Community Infrastructure Levy (CIL) review group – the Board has helped appoint council officials onto a government group reviewing the future of CIL.

### **LGA policy, press and parliamentary activity**

12. The LGA continues to develop the policy case for mitigating the impacts of reforms on councils and communities, for instance since the last Board meeting it has:
  - 12.1. Held regular meetings with Ministers and senior civil servants to mitigate the impact of housing policies on councils.
  - 12.2. Undertook and commissioned research on the repercussions of national housing policy, such as that with Savills.
  - 12.3. Engaged with government on policy detail through technical working groups, such as the starter homes working group and sale of high value assets technical working group.

- 12.4. Arranged and hosted seminars between councils and government officials, such as Chief Executive sounding board, starter homes seminar, and high value assets seminar.
- 12.5. Responded to formal consultations such as on implementing Pay to Stay proposals.
- 13. Since the last Board, the LGA has published research drawing a wide range of press and public attention to key housing and planning asks, for instance:
  - 13.1 Objections to the forced sale of council homes and offer to bring forward development on the wider public estate in the Guardian.
  - 13.2 Calls for councils to retain a 100 per cent of receipts from all council home sales on the BBC.
  - 13.3 Evidence on the cost impact of proposed social rent reductions in the Financial Times.
  - 13.4 Calls for councils to be able to locally determine the mix of affordable homes in the Financial Times.
  - 13.5 Analysis of the costs of nationally set planning fees, and calls for locally set fees in the Financial Times.
  - 13.6 Calls for tougher sentences for rogue landlords.
- 14. The LGA has increased parliamentary activity as the Housing and Planning Bill and the Welfare Reform and Work Bill progresses through parliament, including:
  - 14.1 Giving evidence to the CLG Committee, Housing and Planning Bill Committee, and Welfare Reform and Work Bill Committee.
  - 14.2 Publishing and sharing regular parliamentary briefings, included in official Houses of Parliament briefings for MPs and Lords.
  - 14.3 Regular meetings with MPs and Lords, including hosting parliamentary briefing sessions hosted by LGA Vice Presidents.
  - 14.4 Support and briefings for individual amendments.

### **Next steps**

- 15. Members are asked to discuss and steer next steps. It is proposed that the Board:
  - 15.1 Continue parliamentary and campaigning activity supporting amendments mitigating the impact on communities and council capacity to meet local community need.
  - 15.2 Further develop the evidence case on the impact of housing and planning reforms, including future work with Savills to be presented at the Board, a survey of local authorities, and research on unimplemented planning permissions.
  - 15.3 Build further evidence and press and public support on the need for councils to have the powers and flexibilities to meet local housing needs.

### **Financial Implications**

- 16. None.



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Document is Restricted





## Maintaining Momentum on Local Growth

### Purpose

This Board item invites David Marlow, independent consultant and expert on local growth policy and Cllr Paul Watson, Leader of Sunderland City Council to lead a discussion on local growth, on what is required to maintain momentum on progress following Spending Review announcements and devolution deals.

### Summary

The Board commissioned further research to look at and share what councils are doing to maintain the momentum on local growth and highlight the practical tools, powers and resources they will need to continue to develop the conditions for local economic success. David Marlow, independent consultant and Director of Third-Life Economics, was asked to research four distinct areas (Kettering, Gloucestershire, Sunderland and Wakefield) as to what each council was trying to achieve, their ambition, how they were intervening to improve the conditions for economic growth and future asks and agendas with national government. It is intended the findings from the research will be published and shared with the sector in January 2016 and will include an overview chapter highlighting common issues and a commentary on future growth following the Spending Review.

### Recommendations

The Board is invited to:

- Discuss the issues raised by David Marlow and Cllr Paul Watson.
- Provide further directions for LGA officers as appropriate.

### Action

Officers to take actions as directed by members.

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## **Maintaining Momentum on Local Growth**

### **Background**

1. The Board commissioned further research to look at and share what councils are doing to maintain the momentum on local growth and highlight the practical tools, powers and resources they will need to continue to develop the conditions for local economic success. David Marlow, independent consultant and Director of Third-Life Economics, was asked to research four distinct areas (Kettering, Gloucestershire, Sunderland and Wakefield) as to what each council was trying to achieve, their ambition, how they were intervening to improve the conditions for economic growth and future asks and agendas with national government. It is intended the findings from the research will be published and shared with the sector in January 2016 and will include an overview chapter highlighting common issues and a commentary on future growth following the Spending Review.
2. On Wednesday 25 November the Chancellor announced the details of the Government's Spending Review and Autumn Statement in a combined statement to Parliament. Members will be aware that the details of council funding will not be known until the local government finance settlement. However, the Spending Review announced a reduction in central government funding for local government of 24% in real terms by 2020. When taking all funding into account (e.g. OBR forecasts of other income) the overall position is a 6.7% real terms reduction. In addition councils still face spending pressures of £10 billion. This reduction is likely to have clear consequences for local services such as transport, housing, the environment and other services that support local growth.
3. David Marlow will provide a short overview from his research of the case study areas as well as his views on the prospects for local growth following announcement on the 25<sup>th</sup> November.
4. Cllr Paul Watson, as one of the case study areas, will share the perspective of local growth from his area, the challenges that remain and what more is needed to maintain momentum on local growth in the Sunderland area.

### **Biographies**

#### David Marlow

5. David is a development economist and chief executive with wide experience of leadership of local growth across England. His 25 year public service career in UK and overseas culminated in eight years as Chief Executive of a large metropolitan council and a Regional Development Agency. Since he established Third Life Economics in 2009, David has been at the forefront of establishing and operating LEPs, formulating and negotiating city and local growth deals, knowledge economy and industrial strategy. Most recently he has worked and commented extensively on leadership and governance options for enhanced devolution.

Cllr Paul Watson

6. Councillor Paul Watson became Leader of Sunderland City Council in 2008. He represents the City and City Council on a number of key organisations. He is an Executive Member of the Local Government Association and Vice Chair of the City Regions Board. He is Chairman of the UK Delegation to the EU Committee of the Regions (and Member of the Automotive Intergroup) and chairs the national Key Cities Group and the Association of North East Councils. With a particular interest in supporting economic growth, he is the North East Combined Authority's Economy Thematic Lead, a Member of the Sunderland Economic Leadership Board and Chair of the Port of Sunderland Board. Cllr Watson also sits on the boards of the North East Local Enterprise Partnership and Sunderland Football Club Foundation.

**Recommendations**

7. The Board is invited to:
  - 7.1 Discuss the issues raised by David Marlow and Cllr Paul Watson.
  - 7.2 Provide further directions for LGA officers as appropriate.





**Environment, Economy,  
Housing and Transport  
Board**

2 December 2015

## **EEHT Update Report**

### **Purpose**

For discussion.

### **Summary**

The report provides updates on a number of areas of work within the EEHT work programme which do not appear elsewhere on the agenda.

### **Recommendation**

That the Board note the updates included in the report.

### **Action**

Any actions to be taken forward as directed by members.

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## EEHT Update Report

### Buses

1. On 21 October the Chair, Cllr Peter Box, met the Transport Minister, Andrew Jones MP, to discuss a couple of practical issues raised in the LGA's report on bus provision, *Missing the Bus?*, namely on securing a better legislative means of bus franchising and the importance of activating Part 6 of the Traffic Management Act (TMA) which councils feel will help tackle congestion hot spots and therefore improve bus punctuality. And, at the request of the Minister, the meeting was followed up with a letter to provide further details and options as to how traffic enforcement powers under Part 6 of the TMA could be enacted in a way that would address ministerial concerns of potential misuse by some councils.

### Air quality and emissions from transport

2. As reported at the last Board meeting, the LGA responded to the Government's draft plans on 'Tackling nitrogen dioxide in our towns and cities'. The response is appended to this update report as Annex A.
3. Since the last Board meeting, the Environment, Food and Rural Affairs Committee launched their own enquiry which the LGA has provided a written response to. The enquiry will look into:
  - 3.1 Defra's role for reducing emissions of key pollutants, including NO<sub>2</sub>, and whether they go far enough and fast enough to meet EU standards; and whether Government departments, include Defra should intervene further to reduce emission
  - 3.2 Are the correct incentives in place to support consumers and businesses in reducing transport emissions, for example to move away from diesel and petrol vehicles towards low emission options or to promote other forms of transport?
4. The enquiry is also exploring Defra's role in managing industrial and farming emissions although the LGA's response is focused on the above two issues. Our submission is now the property of the Committee who will decide if they will make publically available, although the normal practice is to do so. However, key points that were raised in our response include:
  - 4.1 Defra, which is responsible for air quality at a national level, has insufficient input into on policies implemented by other government departments, notably Department for Transport.
  - 4.2 Defra has to date focused on ensuring that councils provide a detailed picture of air quality issues and reporting rather than helping councils to achieve improvements

4.3 Government should do more nationally to address air quality. This could include making industry-wide changes to influence a switch from petrol and diesel vehicles to ultra-low emission vehicles and other alternative modes of transport. This should be further supported by giving local authorities the powers and funding to manage traffic and provide alternatives to the car. The lack of recharging infrastructure, in rural areas in particular, is one challenge that needs to be considered – and there may be issues of grid capacity.

### **Sub-National Transport bodies**

5. New Clause 34 of the Cities and Local Government Devolution Bill brings in legal powers and duties to allow groups of councils, such as Transport for the North (TfN), to set up statutory Sub-National Transport Bodies (STBs) to advise transport ministers on investment priorities in their own areas and on strategic transport schemes to support growth. A number of councils have already established regional partnerships and for some formalising existing arrangements is expected to bring them greater control and influence over the development of transport infrastructure. For this reason the LGA welcomed New Clause 34 in its recent Parliamentary briefing but also stressed that it is important that the Government is able to work with different regional partnerships on strategic transport infrastructure. The full briefing can be found here <http://tinyurl.com/oe8yr4b>.

### **National Infrastructure Commission**

6. The National Infrastructure Commission (NIC) was created on 5 October 2015 on an interim basis and the Government plans to put it into statute. It is tasked with delivering a long-term plan and assessment of national infrastructure needs early in each parliament, setting out what a government is expected to do over the next five years. It will be overseen by a small board, appointed by the Chancellor, and able to commission research and call for evidence from public sector bodies and private sector experts. Lord Adonis, the former Cabinet Minister and Transport Secretary, has been appointed as the Commission's first chair.

7. The NIC's immediate areas of focus include:

7.1 plan to transform the connectivity of the Northern cities, including high speed rail (HS3).

7.2 priorities for future large-scale investment in London's public transport infrastructure.

7.3 how to ensure investment in energy infrastructure can meet future demand in the most efficient way.

8. The Commission will publish advice to the government on these issues before next year's Budget. It will also begin work on a national infrastructure assessment, looking ahead to requirements for the next 30 years.

9. Its terms of reference on the first two focused areas of work include a requirement to work with relevant stakeholders, including local authorities and sub-national transport bodies (e.g. Transport for the North and Transport for London).
10. The Board may wish to invite Lord Adonis to a future meeting to discuss how local government and the NIC can best work together to get the infrastructure outcomes that the country needs.

#### **Judicial review of the VAT exemption on commercial waste services**

11. Council commercial waste services are exempt from VAT under a special regime introduced by HMRC in 2011. The legality and anti-competitiveness of the VAT exemption has been challenged by the Durham Company trading as Max Recycle and is the subject of a judicial review defended by HMRC and the Treasury. Earlier in the year the LGA's SMT and the EEHT Board reviewed the case and decided that it is defensible, and agreed to support HMRC as an interested party because of the potential financial impact on councils operating a commercial waste service. The first court hearing took place on 27 October 2015 and the legality of the VAT exemption has been identified as the main issue for the court. If the VAT exemption is found to be legal the court will then move on to consider whether it is causing distortion in the commercial waste market.
12. The Court has asked all parties to agree on the precise nature of the legal issue and present further evidence by early December. No date has been set for the next hearing and this may still be some weeks away.

#### **Defra working group on the consistency of council waste and recycling collection services**

13. A meeting between Rory Stewart MP and waste industry bodies and stakeholders led to the creation of a working group to investigate the potential benefits and considerations of having greater consistency and harmonisation in household waste collection and recycling in England and how this could be achieved. The LGA was not present at the initial meeting but was asked to join the sub-group along with representatives from local authority waste networks and waste and packaging industry bodies.
14. Defra asked Wrap, a charitable organisation that works to reduce waste and improve recycling, to provide analysis to the group and identified a number of models or scenarios for the type of material collected for recycling and the collection method. Next steps are yet to be agreed but are likely to include a "menu of options" for councils and encouragement for councils to adopt one of the chosen scenarios.
15. The LGA position is that waste and recycling collection services are a local decision for councils. Councils have already made significant investment in waste and recycling services and the responsibility for increasing recycling rates must sit with all stakeholders, not just council tax payers. While this is recognised Defra are keen to pursue a goal of moving councils to a consistent set of waste and recycling services. A suggested next step is for Rory Stewart to discuss his proposals with LGA lead members, initially through a discussion with Cllr Peter Box.



### **LGA Housing Commission**

16. The LGA Housing Commission is having its initial meeting between Lead Members and the Advisory Panel on 2 December 2015. At the meeting Lead Members and the Advisory Panel will agree areas of focus for the Housing Commission, and the outputs it will seek to deliver in the lead up to the final report being launched at LGA Annual Conference 2016. The Commission will launch a Call for Evidence shortly and will host four evidence sessions in the new year.

### **Environment Agency Board Recruitment**

17. The Environment Agency shortly plans to begin recruitment for two new Board members. In advance of the recruitment which we expect to go live in the next few weeks we are raising awareness of these opportunities with relevant groups. The flyer attached as [Annex B](#) provides further details of the recruitment.



**LGA response to DEFRA Consultation on draft plans to improve air quality - Tackling nitrogen dioxide in our towns and cities**

**Question 1: Do you consider that the proposed plan set out in the overview document strikes the right balance between national and local roles?**

Aside from the proposal for a Clean Air Zones framework (discussed in answer to question 4), we have two specific concerns about the proposals set out in the overview document.

- a) Government is putting the emphasis on councils to address the problem, with limited acknowledgement of its responsibilities such as addressing demand for diesel cars and shortcomings in the emissions standards system or providing an explicit air quality remit for the new Strategic Highways Company - as recommended in the Environmental Audit Committee's November 2014 report.

In March 2014 Defra reminded councils of the Government's discretionary powers to pass on all or part of an infraction it receives from the EU to councils. The LGA strongly believes that there is no case for fining councils as:

- the cause and impact of air pollution cannot be contained within administrative boundaries
- reductions of up to 40% in councils' core budgets greatly diminishes their ability to act on air quality reduction measures
- The Government refuses to give councils powers that it ought to provide if it is to follow the Supreme Court's instruction (see below).
- at the same time it appears to be failing in taking action at a national level:
  - The Strategic Roads Network - it is notable that a major - if not the largest - source of nitrous oxide and indeed particulate pollution especially near our urban areas is the Strategic Road network.
  - The Government needs to do more to work with the EU to tackle the industry-wide challenges that remain in reducing harmful emissions from cars, in particular diesel vehicles.
- The Government admits that it cannot quantify its own actions whilst expecting councils to do so.

- b) While the measures set out in the document are generally desirable, they will not work quickly and do not go far enough, while some may have no impact at all. Meanwhile measures which could have a much more immediate impact are omitted:

- Measures designed to promote Low Emission Vehicles, while welcome, will take years to show results in terms of reduced emissions. The Government could be doing more to promote take-up of such vehicles and to lobby for EU wide incentives to manufacturers that would accelerate the growth of ULEVs as a proportion of new vehicles.

- The Government points to the £77 million it is spending on promoting cycling as a factor in tackling poor air quality. Whilst councils also promote cycling and walking, they do so against overall transport strategies where they balance the sometimes competing needs of different road users and communities which will vary from place-to-place, requiring a local set of solutions.
- It is vital therefore that the Government recognises the role that all forms of transport can play in reducing harmful emissions, including the role of buses. Bus funding outside London has been reduced by around half a billion pounds since 2011. Experience in London has shown that improved bus provision can significantly reduce car-use, suggesting that improved bus services can offer the quickest means of reducing car-generated emissions. The LGA is calling on the government to devolve all subsidies and to introduce enhanced powers for councils in relation to bus networks through the Buses Bill. This will enable them to better target public resources towards reducing pollution as well as encouraging motorists to switch to buses.
- The consultation document argues that enhancing the road network will improve traffic flows, reducing congestion and thereby emissions. This may be true in some locations, however by tripling its investment in the Strategic Roads Network without similar levels of investment in local road, the Government risks increasing emissions near major urban areas and moving congestion from one bottleneck to the next – and may simply encourage more cars onto the road. Improved funding for all public transport and better traffic management, parking control and travel planning are likely to do more to reduce pollution than simply building more roads.
- It should be added that councils outside London continue to be prevented from enforcing moving traffic offences using the powers in Part 6 of the Traffic Management Act, 2004. These powers could be targeted on specific junctions where failure to observe yellow-box or banned-turn restrictions causes congestion and could thereby reduce emissions at a fraction of the cost of physical interventions. The access restrictions proposed as part of Clean Air Zones will be unenforceable without these powers.
- Similar benefits could arise by giving councils access to greater powers to control street works – another major cause of delay, congestion and pollution – through lane rental schemes or the powers in Part 3 of the 2004 Act.

**Question 2 and 3: not relevant to LGA**

**Question 4: Do you agree that a consistent framework for Clean Air Zones, outlined in section 4.3.6 of the UK overview document, is necessary? If so, do you think the criteria set out are appropriate?**

The government is proposing a framework for Clean Air Zones which could involve banning vehicles on the basis of emissions standards. We support this initiative in principle as an option for councils but have four reservations:

- i) The proposed emissions standards only apply to NOx. While NOx is the focus of EU action against the UK, the growth of diesel car-ownership has been encouraged by government attempts to reduce CO2 emissions, so any measure that simply encourages drivers to switch from diesel to petrol cars risks replacing one problem with another. Particulate emissions are also a problem. Clean air zones need to address all three of these issues.
- ii) The assumption behind this proposal is that cars emit what emissions tests say they emit. There is little point in allowing cars access to a clean air zone if they emit more pollutants in real-world conditions than in the tests that produce the standards on which the zone is based. Yet manufacturers are failing to produce vehicles that perform to test standards in real-world conditions for either NOx or CO2. Any system of emissions-based access restrictions must be based on real-world performance and if this is impossible it may be necessary to ban certain types of engine altogether.
- iii) While we accept that access restrictions may be necessary, they are likely to meet significant public opposition and their knock-on effects need to be considered. Banning diesel cars from a city centre might render those cars unsellable, leaving their owners with no means of accessing work unless funding is available for significant public transport enhancements. For many people driving is the only means by which they can get themselves to work and their children to school. If they are banned from driving into certain areas then some form of public provision may be required and this will come at a cost.

The Government needs to recognise that tackling air quality problems will come at a cost – either to national government, to local government, or to individuals. If no action is taken there will be a public health cost. The recent Volkswagen scandal shows that the car industry has a critical role to play. It is vital that the Government works with the EU and the motor industry to produce vehicles that perform adequately in real world conditions and it is only right that the industry contributes towards the cost of rectifying the UK's air quality. This is a developing situation, but if the outcome is that manufacturers compensate owners, Government should act to try and ensure that compensation supports incentives for cleaner modes of transport and investment in local action.

- iv) The structure of the zone proposals set out in the consultation implies that banning cars will be the last resort, yet the latest research shows that cars emit higher levels of NOx than buses and other heavy vehicles (even before one takes account of the greater capacity of a bus)<sup>i</sup>. While everything possible should be done to reduce the harmful emissions of heavy vehicles, restrictive measures that do not apply to the car will not be as effective (as has arguably been demonstrated in London). This emphasises the significance of the concerns set out in the preceding three paragraphs.

**Question 5: What do you consider to be the barriers that need to be overcome for local authorities to take up the measures set out in section 4 of the UK overview document? How might these be overcome? Are there alternative measures which avoid these barriers?**

The measures in question are:

- Infrastructure and land use planning
- Supporting sustainable transport
- Incentivising cycling and walking
- Clean air zones

Local authorities increasingly lack the funds to undertake any non-statutory activity. The crisis facing local bus funding has been set out in our recent *publication Missing the Bus?*<sup>ii</sup> Other forms of sustainable transport and the promotion of active travel are similarly threatened.

The absence of enforcement powers under Part 6 and Part 3 of the Traffic Management Act 2004 means that clean air zones will be unenforceable and prevents other targeted action to tackle congestion-generated pollution.

Granting powers to enforce moving traffic offences allowing councils to introduce measures for controlling the demand for town centre traffic, such as through congestion charging and workplace parking levy, and lane rental controls over streetworks are all measures which will help. Councils already take into account the additional demand for car use when providing new housing or business development through their planning function. However, this is hampered by the Government's decision that conversions of buildings from offices to residential use are no longer subject to planning permission, and therefore no longer require an air quality assessment. It is vital that Government communities have a

Incentives for the adoption of LEVs are ineffective and the pace of change from petrol/diesel to LEV is too slow. Councils have little opportunity to change this.

Globally, across the EU and nationally it is important that the industry moves rapidly towards emissions testing systems that accurately reflect real-world performance otherwise it is impossible to see how NOx emissions can be effectively tackled.

**Question 6 non-transport measures- we do not intend to answer this**

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<sup>i</sup> <http://www.theguardian.com/environment/2015/oct/21/diesel-cars-emissions-toxic-pollution-than-a-bus-data-reveals>

<sup>ii</sup> <http://www.local.gov.uk/documents/10180/49932/'Missing+the+bus'%20-+DevoNext+L15-420/e7a84be2-ff92-4d60-86c2-f7f11e67e61c>



## **Environment Agency Board Opportunities**

### **Would you like to ensure the protection and improvement of the environment for future generations?**

The Environment Agency is encouraging people to express interest in becoming members of our Non-Executive Board. Our [Board](#) sets the strategic direction for our work and the environmental outcomes we deliver whilst ensuring the stewardship of the public funds we receive.

We generally recruit for board members annually and seek applications from people who are able to see the bigger picture, have a strong network of contacts, and have a collaborative style which commands the confidence of Government, fellow board members and other senior figures.

We're committed to diversity and are part of the UK Government commitment to improving the diversity of public body Boards. We actively encourage applications from all aspects of the communities we serve. You can read more about our approach to diversity [HERE](#).

#### **Current recruitment**

Shortly we plan to welcome applications from people either with extensive experience of working to protect the natural environment or, people with a comprehensive understanding of and ability to work with local government. Whilst not essential, accountancy experience would also be valuable.

**Contact:** For further information or to be informed when the advert is published please contact Corry McDiarmid, Senior Secretariat Advisor, Corporate Affairs, Environment Agency on 07919690854 or email [corry.mcdiarmid@environment-agency.gov.uk](mailto:corry.mcdiarmid@environment-agency.gov.uk)

***“When I joined the Board of the Environment Agency I found the challenge of learning a lot in a short time daunting. However the induction process was very effective and after six months I really feel part of the Environment Agency team. Applying my more than 40 years of environmental research experience to real world problems is very rewarding.” - Lynne Frostick, current Board Member***

#### **About the [Environment Agency](#)**

The Environment Agency is Defra's largest Non-Departmental Public Body (NDPB). It works to protect and improve the environment in England. It reduces the risks to people and properties from flooding; makes sure there is enough water for people and wildlife; and protects and improves air, land and water quality. It is also responsible for incentivising business energy efficiency and cost-effective carbon reduction, and applying the environmental standards within which industry must operate. The Environment Agency is a Category 1 responder and works with other emergency services to prepare for and respond to incidents, and to help communities recover after an incident.





## **Environment, Economy, Housing and Transport Board – report from Cllr Peter Box CBE (Chair)**

### **Buses**

1. I have written to the Department for Transport (DfT) and Treasury Ministers on the issue of bus provision, to bring to their attention the pressures that continue to be faced by councils in supporting bus provision, especially in non-metropolitan areas, together with a suggested package of regulatory and funding reforms that will help with local provision. These issues were raised in the recently published LGA report *Missing the Bus?: Councils and the future of the bus in non-metropolitan areas*.

### **Road Traffic Law Enforcement and Review of the Traffic Signs and Regulations General Directions**

2. Lead members of my Board submitted responses on behalf of the LGA to the Transport Select Committee's inquiry into traffic law enforcement and to DfT's consultation on traffic signs and regulations General Directions. The LGA highlighted how devolution of traffic management powers (by implementing Part 6 of the Traffic Management Act 2004) to local authorities would have a significant impact on road safety by allowing councils to enforce cycle lanes and banned turns and other dangerous manoeuvres. Our response to the latter focused on our concern that the DfT appeared to be backtracking over its proposal to remove the requirement for yellow line restrictions to have an associated traffic order, which impose an unnecessary cost on councils.

### **Sunday Trading**

3. Lead members signed-off the LGA's response to the Government's recent consultation on Sunday Trading hours. In summary, the LGA welcomed the new powers, believing the Government is right to recognise the role of councils in driving local growth and being better placed in shaping decisions that affect the well-being of local people and businesses. However, we urged the Government to make the power to extend Sunday trading hours available to all areas and do so in a way that avoids central prescription and bureaucracy, additional costs and gives local places the freedom to make their own choices.

### **Parking Reform: Tackling Unfair Practices**

4. The LGA responded to a DCLG discussion paper on the management and regulation of parking on private land, and land owned by public bodies, and cash payment facilities for municipal parking. We expect the department to announce the outcome of the consultation this autumn.

### **Proposed reduction of social rent by 1 per cent a year over 4 years**

5. The Board has led the LGA's response to the proposed social rent reduction, submitting evidence to the Welfare Reform and Work Committee calling for a deletion of the clause which the Chairman followed with oral evidence. This has included publishing our

analysis that the proposal will cost councils £2.6 billion over 4 years up to 2020, which has been widely covered in the press including the [Financial Times](#). The Board is preparing a strategy for influencing the Bill ahead of it progressing to Report stage, including developing and evidencing a number of amendments.

### **Extension of Right to Buy and Sale of High Value Assets**

6. The Board has continued to call for the sale of high value assets and extension of Right to Buy to be pursued as two separate policies, and for councils to retain 100 per cent of receipts from sales to reinvest in building locally. It has commissioned Savills research unit to provide an independent analysis on the different national housing policies on housebuilding, affordable housing stock, and home ownership. The Board has used the first report as a basis for work to influence policy ahead of the Housing Bill, and included it in a widely covered press statement on the proposed extension of Right to Buy, covered by the [Guardian](#). A final report will be completed after the Housing Bill is published to take into account additional details.

### **Rogue landlords**

7. The LGA responded to a DCLG consultation on improving the private rented sector. We called for tougher penalties for rogue landlords and support for councils to make robust decisions about a “fit and proper” test for landlords, including a blacklist of rogue landlords. LGA Vice President Gerald Vernon-Jackson gave interviews to support our press work in September. BBC breakfast, Radio 5, Channel 4 news and around 20 national media channels covered the story.

### **Starter Homes**

8. The LGA has continued to raise concerns about the Government’s proposal to fund the 20 per cent discount on 200,000 Starter Homes through exemptions from affordable housing contributions and infrastructure payments. This has included publishing our analysis that the proposal will cost councils at least £3 billion over 4 years up to 2020 in lost affordable housing contributions. The BBC included our concerns in a story it ran in October.

Contact officer:	Eamon Lally
Position:	Principal Policy Adviser
Phone number:	0207 664 3132
E-mail:	<a href="mailto:eamon.lally@local.gov.uk">eamon.lally@local.gov.uk</a>

## Note of last Environment, Economy, Housing & Transport Board meeting

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**Title:** Environment, Economy, Housing & Transport Board  
**Date:** Thursday 1 October 2015  
**Venue:** Rathbone Rooms 1&2, 7th Floor, Local Government House, Smith Square, London, SW1P 3HZ

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### Attendance

An attendance list is attached as **Appendix A** to this note

Item	Decisions and actions	Action
<b>1</b>	<b>Declarations of Interest</b>  None of the members present had interests to declare.	
<b>2</b>	<b>Chair's Introduction</b>  The Chair opened the meeting with a round of introductions and noted the apologies.	
<b>3</b>	<b>Membership, Terms of Reference and Outside Body Appointments</b>  The Chair introduced the report which set out the Board's membership and Terms of Reference for information and asked the Board to make appointments to relevant Outside Bodies for the 2015/16 meeting cycle.  Members noted the membership and Terms of Reference of the Board without further comment and agreed that responsibility for appointments to outside bodies be delegated to the Political Group Offices.  <b>Decision</b>  That the Board agreed that responsibility for the appointments to outside bodies be delegated to the LGA Political Group Offices.  <b>Action</b>  Officers to take responsibility for the appointments to outside bodies.	
<b>4</b>	<b>Chair's Report</b>  The Chair introduced his report that would be submitted to the October Councillors' Forum meeting. In discussing the report, a Member welcomed the inclusion of reference to Part 6 of the Management Act.	

**Decision**

That the Board noted the Chair's report.

**Action**

The Chair to submit his report to the October Councillors' Forum meeting.

**5 Environment, Economy, Housing & Transport Work Programme 2015/16**

The Chair presented the report which set out a draft work programme for the Board and focussed on providing continuity, recognising the government's legislative agenda and reflecting the priorities of the LGA Leadership Board. The Chair asked the Board to consider and comment on the draft work programme in the report and to agree a final version.

In the discussion that followed, Members acknowledged that, with fewer meetings and officers, it would be necessary to select main aspects of the Work Programme to focus on in order target resources most effectively to deliver most impact. It was noted that the subsequent discussion on the next item around housing should also inform the development of the work programme.

**Decision**

The Board agreed to the Work Programme.

**Action**

Officers to progress the Work Programme in line with the Members' comments.

**6 Housing Update**

Nick Porter, Senior Adviser at the LGA, presented the Housing Update report which updated the Board on the progress and sought Members views on next steps. In doing so he expressed disappointment, that despite LGA lobbying, so far it had not resulted in much traction with Government.

During the subsequent discussion the following points were raised:

- In discussing the LGA's lobbying strategy, Members commented that it was important that the LGA be seen to be vocal on the issues raised in the update. It was agreed that the best way to influence government would be by focusing on select issues which the sector could work with Government on to offer a solution, and would therefore most likely to have traction.
- In sharing experiences from their localities of the different challenges authorities' face in term of meeting housing demand

and supply, Members emphasised the importance that these geographical differences be acknowledged and that there is 'one size fits all' solution.

- In discussing current housing shortage and the potential impact of the Government's proposals, serious concerns were expressed, particularly relating to: the combined lack of skills, shortage of materials and in some areas shortage of available land; the financial sustainability of councils' Housing Revenue Account as a result of the reduction of social rents by 1%; the social, economic and financial impact of the extension of Right to Buy to housing associations resulting in a loss of affordable housing stock; private sector 'land banking' practices; and the impact of public opinion and the role of planning authorities' beyond councils.
- With reference to the erroneous perception that councils' approach to planning permission was a key restraint on housing growth, Members emphasised the importance of developing a robust evidence base that demonstrated the multifaceted nature of the barriers to house building that were restraining local authority, particularly around Government policy and developers' practices.
- The Chair suggested organising a meeting with the minister to discuss the sector's concerns and work jointly with Government to deliver a mutually beneficial solution. This meeting would allow the views of local authorities to be represented and to show the authorities that the LGA is protecting its councils.
- In discussing the voluntary agreement between the Government and the National Housing Federation (NHF), several concerns were raised about impact on councils that had business plans in place and the circumventing of Parliamentary scrutiny. It was suggested that the LGA consult local authorities that had previously been part of the LGA's HRA sounding board and that a meeting between the Board Lead members and the Chief Executive of the National Housing Federation be arranged to as to develop a more aligned working relationship going forward.
- Another member drew the Board's attention to the fact that there is a large audience of people working on creative solutions to the issues raised in the update and that the EEHT Board should be helping both government and the civil service in creating new ideas.

### **Decision**

That the Board agreed:

- that its comments inform the LGA's policy position and the next

steps for influencing the forthcoming Housing Bill and the current Welfare Reform and Work Bill;

- that a meeting between Members and the Minister of State for Housing and Planning, Brandon Lewis MP be arranged; and
- and that a meeting between Members and with the Chief Executive of the National Housing Federation, David Orr, be organised.

### **Action**

- Meeting with the minister and the Chief Executive of the National Housing Federation to be organised by officers.

## **7 Housing Commission**

Nick Porter, Senior Adviser at the LGA, introduced the Housing Commission report and asked Members to decide on the direction of an LGA housing commission. The paper set out the background for an LGA housing commission which the Board had been requested to undertake by the LGA Leadership Board.

Members agreed with the Recommendations of the Housing Update with the caveat that the commission has elected members on it and is outcome-based.

### **Decision**

That the Board agreed the objectives and governance for the LGA's housing commission.

### **Action**

Officers to progress with the Recommendations of the Housing Update.

## **8 Transport Update**

Kamal Panchal, Senior Adviser at the LGA, introduced the Transport Update which updated the Board on LGA activity following agreement of policy and lobbying lines at the last Board meeting. Members' views were sought on the next steps.

During the discussion of the report members raised the following points:

- Members highlighted the importance of subsidised bus transport and commented on the danger of losing funding for it. Particular concerns included the link between isolation and mental health issues and the recent scaling back of patient transport.
- With reference to recent global concerns regarding the air quality safeguards on vehicles, Members highlighted the implication for local authorities and that this be raised with Government. They emphasised the importance that no local authorities be unfairly

penalised the EU for air quality standards as a result and that the car manufacturing industry be held to account. More broadly, Members emphasised the importance of lobbying more local authorities to be given greater powers to be able to meaningfully address the problem of air quality.

- With reference to regulation of taxis, it was noted that this responsibility sat with the Safer and Stronger Communities Board.
- The positive impact of investing in public transport on air quality was highlighted.
- Another member commented that the government is focussed on improving bus engines when the actual damage to the quality of air comes from cars primarily.
- Concern were raised that whilst there was investment in national infrastructure schemes, it was difficult to secure funding for smaller areas to link into these larger urban centre transport networks.

#### **Decision**

That the Board noted the report and agreed for their comments to be passed on to officers.

#### **Action**

Officers to continue their work based on the items raised in the discussion of the report.

## **9 Minutes of the previous meeting**

#### **Decision**

That the Board agreed on the notes of the previous meeting.

**Appendix A -Attendance**

Position/Role	Councillor	Authority
Chairman	Cllr Peter Box CBE	Wakefield Metropolitan District Council
Vice-Chairman	Cllr Martin Tett	Buckinghamshire County Council
Deputy-chairman	Cllr Keith House	Eastleigh Borough Council
	Cllr John Northcott	Mole Valley District Council
Members	Cllr Adele Morris	Southwark Council
	Cllr Timothy Moore	Liverpool City Council
	Cllr Tony Newman	Croydon Council
	Cllr Ed Turner	Oxford City Council
	Cllr Steve Count	Cambridgeshire County Council
	Cllr Jason Ablewhite	Huntingdonshire District Council
	Cllr Simon Cooke	Bradford Metropolitan District Council
	Cllr Peter Fleming	Sevenoaks District Council
	Cllr David Westley	West Lancashire Borough Council
	Cllr Alyson Barnes	Rosendale Borough Council
	Cllr Gillian Campbell	Blackpool Council
	Cllr Simon Greaves	Bassetlaw District Council
Apologies	Cllr Jim Harker OBE	Northamptonshire County Council
	Cllr Julian German	Cornwall Council
In Attendance		
LGA Officers		





# 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](mailto:info@local.gov.uk)  
 Website: [www.local.gov.uk](http://www.local.gov.uk)

## Public transport

Local Government House is well served by public transport. The nearest mainline stations are: 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](http://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](http://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](http://www.westminster.gov.uk/parking)

