

Environment, Economy, Housing and Transport Board

Agenda

Thursday, 5 January 2017
11.00 am

Rooms A&B, Ground Floor, Layden House,
76-86 Turnmill Street, London, EC1M 5LG

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

Guidance notes for members and visitors Layden House, 76-86 Turnmill Street, London, EC1M 5LG

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

Welcome!

Layden House is located directly opposite the Turnmill Street entrance to Farringdon station, which is served by the Circle, Hammersmith & City, and Metropolitan lines as well as the Thameslink national rail route.

Security

Layden House has a swipe card access system meaning that a swipe enabled security passes will be required to access the lifts and floors 1-5.

Most LGA governance structure meetings will take place on the **ground floor** of Layden House which is open access and therefore does not require a swipe enabled security pass. **Access** to the rest of the building (floors 1-5) is via swipe enabled security passes.

When you visit Layden House, **please show your Local Government House security pass to reception** and they will provide you with a temporary pass which will allow you access to floors 1-5 if required. **Please don't forget to sign out at reception and return your security pass when you depart.**

If you do not have a LGH Security Pass, please email [member services](#) with your name and a recent photo and a pass will be made for you. You can pick this up from the Layden House reception desk on your next visit.

Fire instructions

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DO NOT USE THE LIFTS.
DO NOT STOP TO COLLECT PERSONAL BELONGINGS.
DO NOT RE-ENTER BUILDING UNTIL AUTHORISED TO DO SO.

Soft Seating Area

There is a small soft seating area on Floor 2 which will also operate as an 'Open Council' area for visiting members and officers from member councils. Please note however that unlike Open Council, this area does not have tea and coffee facilities, nor access to computers.

Toilets

There are accessible toilets on the Ground Floor, 2nd and 4th floors.

Accessibility

If you have special access needs, please let the meeting contact know in advance and we will do our best to make suitable arrangements to meet your requirements.

Parking is available at the rear of the building for Blue Badge holders, accessed via the Turks Head Yard, North underpass. Disabled WCs are situated on the ground and 4th floors. An induction loop system is available in the 5th floor conference venue. For further information please contact the Facilities Management Helpdesk on 020 7664 3015.

Guest WiFi in Layden House

WiFi is available in Layden House for visitors. It can be accessed by enabling “Wireless Network Connection” on your computer and connecting to LGA-Free-WiFi. You will then need to register, either by completing a form or through your Facebook or Twitter account (if you have one). You only need to register the first time you log on.

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

Why have the LGA’s Headquarters moved?

The LGA has temporarily relocated from Local Government House (LGH) in Smith Square to Layden House in Farringdon, effective from Monday 31 October 2016. This is to allow extensive refurbishment work to be carried out to LGH.

The refurbishment works will see the ground floor conference centre and all meeting rooms fully refurbished. Floors 1, 2 and 3 will be upgraded and released for commercial letting to enable the LGA to maximise the income from this building as part of its drive for financial sustainability. A new and larger Open Council will be located on the seventh floor. The refurbishment is expected to last for nine months and we expect to be back in LGH by September 2017.

We appreciate your understanding and flexibility during this time.

Environment, Economy, Housing & Transport Board
5 January 2017

There will be a meeting of the Environment, Economy, Housing & Transport Board at **11.00 am on Thursday, 5 January 2017** Rooms A&B, Ground Floor, Layden House, 76-86 Turnmill Street, London, EC1M 5LG.

A sandwich lunch will be available after the meeting.

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.

Political Group meetings:

The group meetings will take place in advance of the meeting. Please contact your political group as outlined below for further details.

Apologies:

Please notify your political group office (see contact telephone numbers below) if you are unable to attend this meeting.

Conservative:	Group Office: 020 7664 3223	email: lgaconservatives@local.gov.uk
Labour:	Group Office: 020 7664 3334	email: Labour.GroupLGA@local.gov.uk
Independent:	Group Office: 020 7664 3224	email: independent.grouplga@local.gov.uk
Liberal Democrat:	Group Office: 020 7664 3235	email: libdem@local.gov.uk

Location:

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

LGA Contact:

Joseph Ling
0207 664 3166 / joseph.ling@local.gov.uk

Carers' Allowance

As part of the LGA Members' Allowances Scheme a Carer's Allowance of up to £6.70 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.

Environment, Economy, Housing & Transport Board – Membership 2016/2017

Councillor	Authority
Conservative (7)	
Cllr Martin Tett (Chairman)	Buckinghamshire County Council
Cllr Jason Ablewhite	Huntingdonshire District Council
Cllr Simon Cooke	Bradford Metropolitan District Council
Cllr Steve Count	Cambridgeshire County Council
Cllr Stephen Parnaby OBE	East Riding of Yorkshire Council
Cllr Catherine Rankin	Tunbridge Wells Borough Council
Cllr David Westley	West Lancashire Borough Council
Substitutes	
Cllr Mark Mills-Bishop	Broxbourne Borough Council
Cllr Stephen Parker	Hart District Council
Cllr John Rest	North Norfolk District Council
Labour (7)	
Cllr Judith Blake (Vice-Chair)	Leeds 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
Mayor Marvin Rees	Bristol City Council
Substitutes	
Cllr Jon Clempner	Harlow District Council
Independent (2)	
Cllr Julian German (Deputy Chair)	Cornwall Council
Cllr Hugh Evans OBE	Denbighshire County Council
Substitutes	
Cllr Andrew Cooper	Kirklees Metropolitan Council
Cllr Mike Haines	Teignbridge District Council
Cllr Graham Whitham	Sutton London Borough Council
Cllr Anne Hawkesworth	Bradford Metropolitan District Council
Cllr Rachel Eburne	Mid Suffolk District Council
Cllr Martin Fodor	Bristol City Council
Liberal Democrat (2)	
Cllr Keith House (Deputy Chair)	Eastleigh Borough Council
Cllr Adele Morris	Southwark Council
Substitutes	
Cllr Simon Galton	Harborough District Council

Attendance list

Councillors 15/11/16

Conservative Group

Martin Tett	Yes
Jason Ablewhite	Yes
Simon Cooke	Yes
Steve Count	No
Stephen Parnaby OBE	Yes
Catherine Rankin	Yes
David Westley	Yes

Labour Group

Judith Blake	Yes
Tony Newman	Yes
Ed Turner	Yes
Alyson Barnes	Yes
Gillian Campbell	No
Simon Greaves	Yes
Mayor Marvin Rees	No

Independent

Julian German	Yes
Hugh Evans OBE	No

Lib Dem Group

Keith House	Yes
Adele Morris	Yes

Substitutes/Observers

Stephen Parker	Yes
Rachel Eburne	Yes
Jon Clempner	Yes

Environment, Economy, Housing & Transport Board

Thursday 5 January 2017

11.00 am

Rooms A&B, Ground Floor, Layden House, 76-86 Turnmill Street, London, EC1M 5LG

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Date of Next Meeting: Friday, 17 March 2017, 11.00 am, Room A&B, Ground Floor, Layden House, 76-86 Turnmill Street, London, EC1M 5LG



Environment, Economy,
Housing and Transport Board

5 January 2017

The Department for Transport's priorities for supporting local transport

Purpose

For discussion and direction.

Summary

The Board has invited Tricia Hayes the Director General for Roads, Motoring and Devolution to discuss the Department for Transport's (DfT) work plans for the coming year and opportunities for DfT, LGA and local authorities to work together. In particular we have asked her to focus her remarks on: her department's plans for supporting councils on local bus provision as well as the impact of the changes in the bus services bill; roads funding and in particular the announcements made at the autumn statement; and how we can work better together on tackling congestion including especially the long standing asks from the LGA for greater powers for local authorities to tackle this.

Recommendations

That the Board:

1. Notes the DfT's priorities for the coming year.
2. Discusses issues of interest to the board that the department will be working on.
3. Explores areas where we can work alongside the DfT over the coming year.

Action

Officers to progress as directed by the Board.

Contact officer: Andrew Jones
Position: Policy Adviser
Phone no: 020 7664 3178
Email: Andrew.jones@local.gov.uk

The Department for Transport's priorities for supporting local transport

Background

1. The Board has invited Tricia Hayes the Director General for Roads, Motoring and Devolution to discuss the Department's work plans for the coming year and opportunities for DfT, LGA and local authorities to work together. In particular we have asked her to focus her remarks on: her department's plans for supporting councils on local bus provision as well as the impact of the changes in the bus services bill; roads funding and in particular the announcements made at the autumn statement; and how we can work better together on tackling congestion including especially the long standing asks from the LGA for greater powers for local authorities to tackle this.

Issues

Buses

2. The LGA has long called for legislative reform of local bus provision and broadly welcomed the Buses Services Bill, which offers a simpler route to franchising, better partnership options with bus operators and open data benefits. It is currently awaiting a second reading in the House of Commons following passage through the Lords.
3. Whilst the LGA welcomes the Bus Services Bill and the potential it has for provision of better services we don't think it is sufficient on its own to help stem or even reverse the decline in bus services around large parts of the country. DfT's own statistics show that bus journeys outside London have dropped by around 40% in the last 30 years, and council supported mileage was down 12% in the last year. The meeting is an opportunity to discuss how DfT and Councils can work together to reverse this decline.
4. There are a number of factors they should consider:
 - 4.1. **Fully funding concessionary fares:** The system of concessionary fares has never sufficiently compensated local authorities since it was set up in stages from 2000 – 2008. In 2013 the Coalition Government decided to roll all concessionary fares grants into revenue support grant which has been cut every year since. The number of trips taken, the number of people claiming bus passes and bus fares have all increased since then. This cost has been met by local authorities. The LGA estimates that this commitment is underfunded by at least £200m and the true figure is likely to be more. The LGA believes that as this is a service we are obliged to provide it should be fully funded.
 - 4.2. **Devolution of bus service operator's grant:** The bus service operator's grant is essentially a fuel rebate scheme. The Government pays the grant to any operator of a commercial bus service based on the mileage of that service. This rebate is paid to all commercial operators on all routes regardless of how viable they are. Last year

the DfT distributed around £250m. The DfT itself described it as “a blunt tool which applies to profitable and unprofitable routes alike.”¹

4.3. If this money was devolved to councils they could take decisions about how to best target it in order to ensure that socially useful but otherwise unviable services are supported. The Government has announced it will devolve BSOG to authorities that decide to franchise bus services. It has already devolved this funding to five Better Bus areas. The previous coalition Government commenced [a review](#) of BSOG funding and stated that a decision on the changes to be made on BSOG was expected later in 2015. Officials have indicated that a further review will take place in the near future.

4.4. **Further roll out of total transport:** The Government’s Total Transport scheme awarded money to 37 schemes in March 2015 in order to co-ordinate transport procurement across public bodies. £7.6 m was awarded and the projects were expected to last up to two years. We should be getting some indication on the success of the project from DfT in the coming months.

Roads Funding and the Autumn Statement

5. The LGA has long called for greater certainty over long term funding for transport infrastructure as well as increased funding for dealing with our long standing maintenance backlog. Following the Autumn Statement, the DfT provided [further information](#) on funding announcements. The most significant of these is a new £1.1 billion “Congestion Busting and Repairing Roads Fund”. This will be allocated for local highway improvements that aim to either reduce congestion at key locations, upgrade or improve the maintenance of local highway assets across the country, or unlock economic and job creation opportunities. At the time of writing there are no further details in relation to timings, process and allocation.
6. The Chancellor also announced a £2.3 billion Housing Infrastructure Fund up to 2020/21 to deliver infrastructure that will support the building of 100,000 new homes in high demand areas, which will be allocated to local government on a competitive basis. It is unclear what role DfT will have in terms of informing the allocation process.
7. **Allocation of road funding:** Over the remaining years of the decade Government will invest over £1.1 million per mile in maintaining national roads, which make up just 3 per cent of all total roads. This level of investment contrasts starkly with the £27,000 per mile investment in maintaining local roads, which account for 97 per cent of England’s road network. The Government have confirmed that from 2020 England Vehicle Excise Duty receipts will be spent on roads, substantially increasing the strategic roads network budget.²

¹ Better Bus Area Guidance February 2013

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/89638/bba-guidance.pdf

² Receipts for the UK in 2014/15 were £6 Billion. A breakdown for England is not currently available.

8. **Funding certainty:** While Highways England and Network Rail have much greater certainty of funding from the Government, enabling them to more effectively plan ahead, councils have to navigate through several routes to deliver effective local transport networks. Conditions, ring-fencing and bidding can all lead to uncertainty, wasted bureaucracy and poor value-for-money. The funding available for local transport and growth is currently fragmented. LGA commissioned independent research identifies eight different funding streams for local transport alone³. Whilst additional Government investment is helpful, the autumn statement announced a continuation of this approach with further funding streams, which are likely to be subject to a competitive process.

Congestion

9. The DfT forecasts that traffic levels will increase by 55%, and congestion by 85% on our roads by 2040. The annual cost will reach £21bn by 2030 according to the Centre for Economics and Business Research. On average UK motorists waste 30hrs a year in traffic on our roads.
10. Whilst councils welcome additional funding, this is not a sustainable solution to tackling congestion in the long term. We cannot build roads fast enough to cope with this level of traffic growth even if that was desirable. The LGA believes that with additional powers local authorities would be better placed to manage traffic flow. The LGA has called for councils to be given more powers including:
- 10.1. **Streetworks:** There are many examples of successful permitting schemes and the pilots of lane rental schemes have shown that this can be a powerful tool in managing the impact of roadworks at key locations on the road network. We would urge the Government to allow all local authorities to take decisions about what the appropriate regime is for street works in their area and give them access to powers that have worked well in pilot areas.
- 10.2. **Workplace Parking Levy:** All authorities should be able to use powers to introduce the Workplace Parking Levy which has been successful in Nottingham. Local authorities should not have to go through the cumbersome process of seeking Secretary of State approval to access a power that is already proving its ability to reduce congestion and simultaneously improve public transport.
- 10.3. **Clean Air Zones:** The Government's Clean Air Framework has now been ruled insufficient by the courts however it will form the basis of the Clean Air Zones that will be forced upon five cities within England. There are proposals in the framework to charge for access to the zones for certain categories of vehicles. The LGA welcomes action on improving air quality however we have concerns about the framework as it has been proposed. In particular we are concerned about how this new responsibility will be funded.
- 10.4. **Enforcement of moving traffic offences:** Currently enforcement of moving traffic offences powers are available to local authorities in Wales and London but not anywhere else in England. The powers that would allow this to happen are already on the statute book but the Government has never chosen to enact them. The

³ Shared Intelligence - Fragmented Funding for Growth 2016. This will be circulated to members separately.

LGA continues to urge the Government to pass the necessary secondary legislation that would give all traffic authorities the power to enforce traffic offenses. As it stands offences like blocking yellow box junctions and making banned turns can only be enforced by the Police who do not have the resources to enforce them. In September the LGA submitted proposals to Ministers and the Department on how the power could be devolved to councils but have had no response as yet.

11. The LGA is doing some work looking at congestion and the challenges it brings locally and would welcome a discussion about how we can work better together, locally and nationally, to tackle it given the costs we will face as a country if nothing is done. There appears to be no coordinated strategy for tackling the forecasted increase in congestion other than through investment in increased capacity.

Implications for Wales

12. Transport policy is devolved to the Welsh Assembly; this is an English debate and the WLGA lead on representing the interests of Welsh local authorities.

Financial Implications

13. There are no financial implications for the LGA implied in the content above.

Biography of the speaker

Tricia Hayes – Director General for Roads, Motoring and Devolution, Department for Transport (DfT)



1. Tricia Hayes was appointed Director General for Roads, Motoring and Devolution in the Department for Transport from April 2016.
2. Tricia first joined the Department for Transport in 1987, and her civil service career subsequently has focussed largely on transport policy, with roles covering almost all modes of transport, including rail, road, aviation and sustainable travel issues.
3. From 2013 to 2016 she was the UK's Director of Aviation, responsible for all aspects of domestic and international aviation policy, including aviation security.
4. Tricia's earlier roles included a three year spell on loan to the Foreign and Commonwealth Office to run the Transport desk in the British Embassy in Washington. She has also held posts in Ministerial Private Offices, and spent two years in Department for Environment, Food and Rural Affairs working with Jonathon Porritt setting up the multi-sectoral Sustainable Development Commission.
5. Tricia is originally from Northern Ireland, and is married with three children. She is a Fellow of the Chartered Institute of Highways and Transportation.

Unlocking future growth and investment through public and private collaboration

Purpose

For information.

Summary

This report aims to update Board members on joint work that the LGA and British Property Federation (BPF) have been doing to reflect how the policy landscape has changed in the last 5 years to unlock commercial developments and how councils, developers and Government will need to respond to achieve the best outcomes.

Cllr Martin Tett (Chairman of the Board) has invited Rachel Campbell from the British Property Federation (BPF) and Will Colthorpe, Argent and Chair of the BPF's Development Committee and Pete Gladwell, Head of Public Sector Partnerships, Legal and General to provide a fresh and strategic perspective from the development and investor industry as well as lead a discussion which will help feed into the LGA's and BPF's ongoing policy work, in particular in relation to the Government's anticipated review of industrial strategy.

Biographies of the speakers are attached at **Appendix A**. Examples of innovative partnerships between the private sector and local authorities is attached at **Appendix B**.

Recommendations

That the Board;

1. Note the update and provide feedback to shape future joint work between the BPF and LGA.
2. Discuss and highlight key issues in relation to councils' approach to public/ private collaboration and adopting a more commercial mindset.

Action

Officers to progress in line with members' directions.

Contact officer: Andrew Jones
Position: Policy Adviser
Phone no: 020 7664 3178
Email: andrew.jones@local.gov.uk

Unlocking future growth and investment through public and private collaboration

Background

1. The BPF and LGA published 'Unlocking Growth Through Partnership' in 2012, recognising that the model of funding development and infrastructure that had worked for the previous 15 years was no longer functional in a low-growth, post-crash world. Based on a series of roundtable discussions and place-based studies, we examined how the public and private sectors could work together to stimulate the economy and create successful and vibrant places.
2. While some lessons are still valid four years on, the policy landscape has changed with local authority resourcing challenges; increased devolution of powers and continuing alterations to the planning system. Furthermore, proposed business rates reforms from 2020 will see local authorities retaining 100% of their business rate income, heralding a renewed emphasis and incentive on growing the local business base and bringing forward development. The BPF and LGA therefore decided to revisit the topic and commence on a further place-based study to update the recommendations and work towards creating thriving partnerships and packages of support which are able to fund the infrastructure and development critical to the country's growth.
3. The findings were informed through focused discussions with Southampton and Milton Keynes councils and the BPF will highlight key messages at the Board meeting. The findings will also be captured in a short report which will be launched jointly by the BPF and LGA on the 25th January. Members from the EEHT Board have been invited to this event.

Issues

4. Councils continue to seek opportunities to unlock wealth and job creating opportunities through regeneration and new developments and increasingly doing so through a range of innovative partnerships with the private sector and through adopting a more commercial approach. A range of examples is attached at **Appendix B**.
5. However, there are lessons for all councils in terms of how they attract the best outcomes from private sector investment and know-how. This is an opportunity for Board members to explore questions such as:
 - 5.1. How we work better together to achieve growth and investment – including vital local infrastructure; what's holding us back?
 - 5.2. What are the development and investor industry views on what makes a good public sector partner?
 - 5.3. What more can be done to maximise land-values and the benefits to commercial and public sector?

- 5.4. What attracts investors to a particular place? What should an attractive offer be?
- 5.5. How can those places that have ambition but lack the know-how/ capacity be helped? What can they do themselves?
- 5.6. What more could central Government (and others) be doing to help local efforts in attracting investment and public/ private collaboration?

Implications for Wales

6. There are no specific implications for Wales.

Financial Implications

7. There are no financial implications for the LGA implied in the content above.

Biographies of the speakers

Rachel Campbell – Senior Policy Officer & Head of Regional Programme, British Property Federation (BPF)



1. Rachel is a Senior Policy Officer at the BPF, which represents the interests of organisations who own and invest in real estate in the UK. This includes working with BPF members, Government and other stakeholders to influence and develop policy related to infrastructure and regeneration. Since joining the BPF in 2014, Rachel has implemented and now leads on a regional programme of work for the organisation in order to inform central Government as to the impact of national policy on different places, as well as engaging with local and combined authorities and BPF members across the UK to ensure the sector is able to deliver regional growth and sustainable development.

Will Colthorpe - Argent and Chair of the BPF's Development Committee



2. Will joined Argent in 2006 and works on Argent's mixed use schemes. He also leads on commercial developments and leasing at King's Cross where he is responsible for development totalling a gross value of £1.5bn. Will is also a specialist in refurbishment and re-use of historic buildings and structures. At a corporate level, Will is involved in internal learning and development as well as strategic initiatives. He is also involved in new opportunities, commercial review, and structuring.
3. Will read Architecture at Sheffield University, and has a Masters in Planning and Development. Before joining Argent Will worked in valuation, town planning and architecture. He is chair of the British Property Federation's Development Committee, sits on CoreNet's UK Executive Board and is a member of the Royal Institution of Chartered Surveyors.

Pete Gladwell, Head of Public Sector Partnerships, L&G Real Assets



4. Pete Gladwell joined Legal & General in August 2007, with responsibility for the design and development of new funds and overseeing relationships with pension funds, investment consultants, and insurance clients. In 2013, Pete was appointed Head of Public Sector Partnerships, to lead L&G's direct investments into partnerships with RIO/UKTI, Registered Providers, Universities, NHS Trusts, Local Authorities, and central government. These investments now total over £1.7bn.

5. Pete was formally a Senior Analyst in DTZ Research and enjoyed an erstwhile life as a youth worker for seven years in the Oxfordshire area. Member of Oxford University, holding a post-graduate MA, as well as an initial degree in Computation, he also holds the Investment Management Certificate. Pete is also a Trustee for the Young Foundation, which works to create a more equal and just society through social innovation.

Examples of public and private collaboration on growth

1. Barking is undergoing significant regeneration. The local authority has a long-term vision of turning 350 acres of brownfield land into over 10,000 homes and ample leisure facilities at Barking Riverside backed by L&Q. A major mixed use scheme is set to replace an aged mall in the heart of Barking's town centre, and Barking has separately secured funding through the GLA for further town centre regeneration. Upcoming redeveloped transport links will cement Barking's town centre package which will create a great place from the train station to Barking Riverside. Strong leadership and a commercial mindset have allowed Barking and Dagenham to become one of London's leading local authorities.
2. Science Central will become a major hub for scientific research and technology businesses and is one of the biggest urban regeneration projects of its kind in the UK. Legal & General has partnered with Newcastle City Council and Newcastle University to deliver Science Central, moving away from the traditional procurement tendering method through joint venture. The joint venture model allows each part of the project to be financed differently, ensuring the funding answers for each part are the right ones. This means that L&G can afford to make a loss on some parts of the projects while making a profit on others, maintaining the viability of the overall project. Newcastle is an exemplar in moving away from the adversarial context of the traditional OJEU and section 106 process, towards one where both the private sector and public sector collaborate over the long term.
3. Worthing Borough Council, with the support of West Sussex County Council and other partners, has been developing a new vision for how the town will continue to be transformed in the future. Worthing are inviting investors to be part of that transformation through the Worthing Investment Prospectus.
4. Over the last few years several councils, such as Surrey Heath, Woking and Basingstoke, Canterbury, have been investing in shopping centres. Often using the historically low borrowing rates from the Public Works Lending Board, they are able to benefit from a steady income stream that frees up resources that can be spent on unlocking growth. According to the Financial Times, property experts claim that shopping centres can yield up to 8% in annual rental income. As well as a steady stream of income, it helps to make councils much more commercially minded and knowledgeable about retail markets as they become responsible for the success of their shopping centre investments.
5. Working with the One Public Estate programme councils such as Liverpool have been improving linkages and bringing forward redundant and under-utilised land and buildings held by the council and public sector partners for redevelopment of the Knowledge Quarter, which is at the end of growth corridor.
6. Both Slough and Liverpool have used the opportunity provided by RIO (Regeneration Investment Organisation, part of UKTI) to secure significant investment through overseas sources. RIO helps to promote and assess credible UK regeneration projects to foreign investors.



Environment, Economy,
Housing and Transport Board

5 January 2017

Clearing litter from Highways England trunk roads

Purpose

For discussion.

Summary

The Board will receive a presentation from Dover District Council, which is seeking support from the Board for legislative changes that would remove their responsibility to keep trunk roads free from litter. The following representatives from the council will attend the Board meeting to present their proposal: Cllr Nigel Collor (Portfolio Holder for Access and Licensing), Cllr Nick Kenton (Portfolio Holder for Environment, Waste and Planning), and Roger Walton (Director of Environment and Corporate Assets at Dover District Council and Head of Environmental Services at Shepway DC). Attached is a draft motion previously submitted to the LGA General Assembly (**Appendix A**) as well as a map showing responsibility for clearing litter from motorways and all-purpose trunk roads (**Appendix B**).

Recommendation

That the Board considers the presentation from Dover representatives and decides further action.

Action

Officers to progress in line with members' directions.

Contact officer: Kamal Panchal
Position: Senior Adviser
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Clearing litter from Highways England trunk roads

Background

1. The LGA was approached by Dover District Council in relation to councils' responsibilities for clearing litter on Highways England trunk roads, with a motion for consideration by the LGA General Assembly. The motion was endorsed by members of the East Kent Regeneration Board, which includes Dover, Ashford, Canterbury, Shepway, Thanet and Kent County Council, although concerns are shared by other councils across the country. The LGA's Leadership Board reviewed the request for a motion and proposed that it would be more appropriate for the issue to be discussed by the LGA's EEHT Board.
2. The motion is appended to this report at **Appendix A** and members are advised to refer to it for their consideration. For ease the main points are summarised here:
 - 2.1. Under Section 89 of the Environmental Protection Act 1990, councils have a duty to keep land and highways clear of litter; this extends to clearing litter on Highways England's (HE) trunk roads (**Appendix B**), as well as local roads but not motorways.
 - 2.2. The concern for Dover District Council and other litter authorities is that there are unfair additional operational burdens and costs for those councils who have HE trunk roads within their local authority boundary.
 - 2.3. The representatives from Dover DC will be able to clarify the exact nature of the additional cost burdens. However, LGA officers are aware from other areas that one significant factor is the cost of traffic management for what are high traffic volume routes. For example:
 - 2.3.1 Councils have to liaise with Highways England, or whoever is managing their roads on their behalf, in order to cooperate on road safety (e.g. in closing down lanes for cleaning) and are charged significant costs for assistance in putting in place traffic controls.
 - 2.3.2 Cleaning operations are usually limited to night time working only which means councils have to make plans to adjust routine maintenance schedules as work can only be done at night or early morning on weekends.
 - 2.3.3 Access to the central reservation is a big challenge – usually necessitating lanes to be closed off which requires work at night or early morning at weekends.

Issues

3. LGA's written submission to the Environment, Food and Rural Affairs Committee inquiry on Waste Crime in May 2015 called for:
 - 3.1. The road closure function of the Highways Agency to be combined with that of clearance. It would enable a more consistent approach along the length of a particular road, rather than just the section within a council area. Also, a single body with a national focus would also have a more effective role on prevention through sole responsibility for campaigns to reduce highway littering from vehicles.
4. Under s86(11) of the Act it appears that there is a provision allowing the SoS to transfer the responsibility for cleansing to a different authority:
 - 4.1. "The Secretary of State may, by order, as respects relevant highways or relevant roads, relevant highways or relevant roads of any class or any part of a relevant highway or relevant road specified in the order, transfer the responsibility for the discharge of the duties imposed by section 89 below from the local authority to the highway or roads authority; but he shall not make an order under this subsection unless-
 - (a) (except where he is the highway or roads authority) he is requested to do so by the highway or roads authority;
 - (b) he consults the local authority; and
 - (c) it appears to him to be necessary or expedient to do so in order to prevent or minimise interference with the passage or with the safety of traffic along the highway in question."
5. This could be a more ready-made option for affected councils to pursue however, it is not apparent that any such transfers have taken place and also whether the change from the Highways Agency to Highways England has affected the status of the Secretary of State as a roads authority.
6. Highways England are aware of the issue and LGA officials understand that there is guidance to be issued to HE regional service teams to facilitate their working with local authority teams, although it is not clear what impact this will have in practice. Defra have set up a working group to look at vehicle littering as part of their work to develop a new national Litter Strategy, expected early in 2017. The working group are looking at existing good practice in partnership working, including the East Midlands.

Implications for Wales

7. Transport policy is devolved to the Welsh Assembly; this is an English debate and the WLGA lead on representing the interests of Welsh local authorities.

Financial Implications

8. There are no financial implications for the LGA implied in the content above.

Draft motion for LGA General Assembly – July 2017

Background

1. Section 89 of the Environmental Protection Act 1990, sets out the various responsibilities with regard to the “**Duty to keep land and highways clear of litter**”, with the responsibility to ensure that the highway or road is, so far as is practicable, kept clean split between:
 - 1.1. Each local authority, as respects any relevant highway or relevant road for which it is responsible.
 - 1.2. The Secretary of State, as respects any trunk road which is a special road and any relevant highway or relevant road for which he is responsible.

(Special Roads are roads on which certain types of traffic are prohibited, under the Highways Act 1980. All motorways are Special Roads, together with some high-grade dual carriageways. It is understood that the only non-motorway special road that has been identified is the A282 in Essex and Kent, between M25 junction 30 and south of M25 junction 1b. This section of road includes the Dartford – Thurrock River Crossing.)

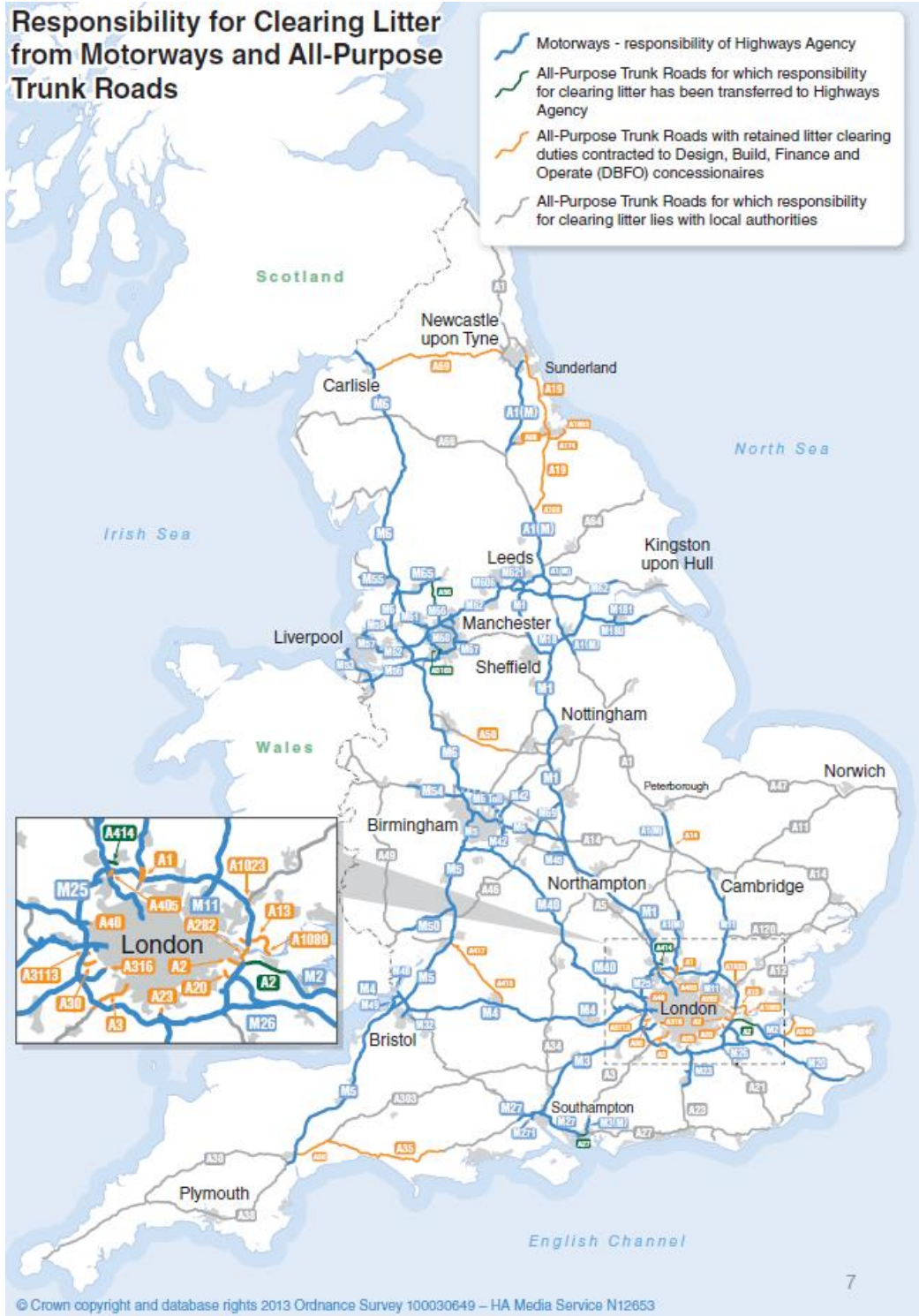
Issue

2. The operational impact of this arrangement is that the simple designation of the road can mean that the burden and cost of keeping the highway and adjacent verges clear of litter on the strategic road network falls unfairly on some local authorities. For example within Kent responsibility for cleaning the M2 and M20 rests with Highways England acting on behalf of the Secretary of State whereas cleaning the A2 and A20, both strategic dual carriageways leading to Dover, become the responsibility of the individual authorities concerned.

Proposal

3. It is proposed that the LGA should lobby Government to require them to amend the legislation and place the duty to keep land and highways clear of litter on all trunk roads with the Secretary of State alone.

Map showing responsibility for clearing litter from motorways and all-purpose trunk roads



Source: HA Litter Strategy 2013



Environment, Economy,
Housing and Transport Board

5 January 2017

General update

Purpose

For information.

Summary

This report provides an update on a number of areas of work within the Environment, Economy, Housing and Transport work programme which do not appear elsewhere on the agenda.

Attached as **Appendix A** is a joint letter from EEHT & Culture, Tourism and Sport lead members to the Rt Hon Karen Bradley MP, Secretary of State for Culture, Media and Sport on the European Capital of Culture.

Recommendation

That the Board notes the updates in the report

Action

Any actions to be taken forward as directed by members.

Contact officer: Andrew Jones
Position: Policy Adviser
Phone no: 020 7664 3178
Email: andrew.jones@local.gov.uk

General update

Clean Air Zone submission

1. DEFRA recently consulted on the implementation of Clean Air Zones in England. In the national air quality plan for nitrogen dioxide, published in December 2015, Government committed to consulting on the draft framework for Clean Air Zones in 2016. The plan also set out that the Government would require the implementation of Clean Air Zones in five cities (Birmingham, Derby, Leeds, Nottingham, Southampton).
2. The consultation sought views on the draft Clean Air Zone Framework, which sets out how Clean Air Zones should be implemented, and on the draft regulation mandating the implementation of Clean Air Zones in the five cities along with the associated impact assessment.
3. The LGA responded by welcoming efforts to improve air quality, and noting that the framework highlights some of the necessary measures to do so. However;
 - 3.1. The framework is not ambitious enough and will not drive the national improvement that is needed.
 - 3.2. The framework does not acknowledge how difficult the measures will be to deliver.
 - 3.3. The powers proposed are not backed by the resources needed to make them realistic, specifically ongoing revenue funding.
 - 3.4. There is considerable uncertainty about the assumptions underpinning the strategy after the Client Earth judgement.
 - 3.5. There is considerable concern about the legal basis of a CAZ and how any penalties will impact authorities based on the points above.
4. Despite our reservations about the framework the LGA is supportive of the proposed measures and we would rather the Government improves the approach as a result of consultation and engagement rather than delaying it any further.

Congestion submission

5. The Transport Select Committee is carrying out an inquiry on urban congestion. Its aim is to identify cost-effective and safe strategies for managing limited road space in towns and cities, minimising disruption to local communities and businesses, and keeping urban traffic flowing. The LGA has submitted written evidence.
6. The LGA has replied to say congestion in our town and cities has a major cost for society, the economy and councils. It affects all road users, and can result in lost productivity, affect the viability of public transport and increase social isolation. Local councils that are also highways authorities have a responsibility to make best use of existing roads for the benefit of all road users. However, councils' powers are curtailed in ways that reduce their ability to manage congestion.

7. Greater powers should be given to local authorities to tackle urban congestion. We would like the following to be available for all local authorities who wish to make use of them:
 - 7.1. Powers to manage street works including lane rental
 - 7.2. The discretion to introduce workplace parking levy
 - 7.3. Full implementation of Part 6 of the Traffic Management Act 2004.
8. The funding streams available for tackling congestion and investing in infrastructure are too complex and overly bureaucratic. Currently funding is provided on a competitive basis by a number of different funders in a variety of different funding regimes. The Government's commitment to simplify transport funding for areas with devolution deals is a positive step, but all authorities need a simplified regime in order to take local decisions on how to best combat congestion. Long term certainty of funding should be made available to the sector and it should not be dependent on governance arrangements.
9. Finally we would like more co-operation with partners who deliver national infrastructure. We are calling on the Government to ensure Highways England can demonstrate how its schemes will mitigate the impact of congestion on local networks. It is important that funding from the Road Investment Strategy should also be spent on local networks.

Bus Services Bill

10. The Bus Services Bill has now completed its passage through the Lords. It has had its first reading in the Commons and is currently awaiting a second reading. The Bill gives local authorities in England the power to franchise bus services. It also introduces a new regime of partnership working for areas that do not wish to pursue franchising.
11. The LGA supports the overall aims of the Bus Services Bill. As the most used form of public transport, buses support local economies by connecting communities and providing access to vital public services and jobs. The current bus franchising system needs to be reformed as the current system is too bureaucratic and expensive to pursue. Local transport authorities need a more effective set of powers to improve services for local residents, and reverse the decline of services in areas outside London.
12. During its passage through the Lord's a number of amendments to the original bill have been passed. Of particular interest to local authorities are:
 - 12.1. Amendment to clauses 4-6 of the bill to allow all authorities the automatic access to franchising powers not just those with elected Mayors.
 - 12.2. Amendment to clause 21 removing restrictions on local authorities' ability to set up new municipal bus companies.
13. The Bill returns to the Commons in the new year. We are in ongoing discussions with the DfT about the guidance and secondary legislation that will enable the bill. We expect formal consultation on these elements in the New Year and are pressing the Government to make the powers to either franchise, or agree a partnership as simple as possible.

Highways England growth report

14. Highways England operates, maintains and improves England's strategic road network (SRN) – the country's motorways and major A roads. Highways England has published a strategic economic growth discussion paper for maximising the economic contribution of the SRN entitled the Road to Growth.
15. We are pleased that Highways England is examining the economic impact that its decisions will have and in particular we welcome Highways England's commitment to review how it can help deliver local growth. In order for this approach to be a success it needs to be embedded in local teams. We will only be able to measure the success of this commitment to local growth by the strength of the local partnerships that are created.
16. The LGA intends to respond to the discussion paper highlighting:
 - 16.1. Local authorities have a wider remit than other areas of the public sector and therefore need the strongest possible engagement from Highways England.
 - 16.2. We would welcome recognition within Highways England's vision that the strategic route network plays a role within a wider road and transport network.
 - 16.3. Local authorities would particularly welcome a greater recognition of the fact that almost all journeys start and end on local transport networks and therefore local economies will grind to a halt if the interchange between the two networks is not properly integrated.
 - 16.4. By concentrating on those businesses that are heavily dependent on the SRN Highways England risks only prioritising its spend on those places where the SRN is already able to provide for businesses, potentially at the expense of other businesses.
 - 16.5. We believe there is a case for Highways England to examine whether they could achieve better value for money through supporting investments in local networks.
 - 16.6. We would like to know how Highways England intends to incorporate the work of Rees Jeffery Fund on a major routes network into its work on economic development.

Meeting with Rt Hon Therese Coffey MP, Parliamentary Under Secretary of State for the Environment and Rural Life Opportunities, Defra

17. Councillor Martin Tett met Dr Therese Coffey MP, Parliamentary Under Secretary of State for the Environment and Rural Life Opportunities, on 22 November to discuss areas of mutual interest on the environment, rural issues, flooding, air quality and waste management. It was a positive first meeting and the Minister is keen to build on the relationship and set up further meetings.

Autumn Statement

18. The Chancellor of the Exchequer, the Rt Hon Philip Hammond MP, delivered his Autumn Statement to Parliament on Wednesday 23rd November 2016. The LGA on the day briefing can be found [here](#). The key messages for the board include the consultation on the New Homes Bonus, measures to boost affordable housing, the announcement that Pay to Stay is to become voluntary, the creation of a National Productivity Investment Fund, clarity on how a proportion of the £700m additional funding for flood defences would be spent, and awarding an additional £1.8 billion to Local Enterprise Partnerships.

Provisional Local Government Finance Settlement 2017/18

19. On Thursday 15th December 2016 the Government announced the provisional local government finance settlement for 2017/18. The final 2017/18 settlement will be laid before the House of Commons for its approval in February 2017. The key messages for the board include the lack of new money in the settlement, the changes to the social care precept and the reallocation of savings from the reform of the New Homes Bonus to social care. The LGA's on the day briefing can be found [here](#).

New Homes Bonus

20. As mentioned above, the Local Government Settlement announced the reduction in the New Homes Bonus (NHB) of £241 million. Local authorities will need to achieve growth of greater than 0.4 per cent before they receive any NHB funding. This is higher than the threshold consulted upon this year and the Government may change this threshold in future years if there is a significant increase in housing growth. The LGA on the day briefing said:

- 20.1. The NHB makes up a considerable part of funding for some authorities particularly shire district authorities. The reduction is intended to deliver savings to fund increases to the Improved Better Care Fund. However, for many authorities this leads to a net reduction in resources not helped by the fact the changes have been announced so close to the start of the 2017/18 financial year.
- 20.2. The introduction of a baseline could remove any incentive to grow in relatively low growth areas and penalises areas with limited opportunity to grow.

Publication of the LGA Housing Commission

21. The Board launched the final report of the [LGA Housing Commission](#) on Thursday 22 December in advance of the Housing White Paper that is likely to be published by Government in January 2017. Following extensive engagement with over 100 partners the final report makes 37 recommendations for how local and national government can work together to: build more of the right homes in the right places; to create prosperous and well-functioning economies; to help more people into work and to increase their earnings, and; to better meet the housing needs of our ageing population.

Homelessness Reduction Bill

22. The Homelessness Reduction Bill will likely gain Royal Assent in the new year, placing further duties on local government. We have worked hard to remove some elements of the original Bill that would have been unworkable for many councils to deliver. It is in a better shape now, but we will continue to push for adequate resources to deliver new duties, and for wider housing and welfare reforms that will be crucial to delivering ambitions to reduce homelessness.

Neighbourhood planning bill

23. We have briefed MPs in advance of debates on the Neighbourhood Planning Bill as it has worked its way through the House of Commons. In particular, stressing that the Bill could do more to help the Government achieve its ambitions on speeding up the delivery of new homes and to enable local authorities to deliver responsive planning services through adequate resourcing. The LGA has been quoted widely by MPs in their discussions including our concerns about the proposed reforms to the use of planning conditions, local development plans and our research on office to residential permitted development rights. Cllr Tony Newman gave evidence at the Public Bill Committee which focused on the provisions of the Bill which restrict the use of pre-commencement planning conditions. He highlighted the LGA's view that the reforms are unnecessary and as well as raising the LGA's call for locally set planning fees. We will continue to work with Parliamentarians to shape the Bill as it works its way through the House of Lords early in 2017. LGA briefings on the bill can be found [here](#).

European Capital of Culture

24. On 16 December the Secretary of State for Culture Media and Sport announced that a nationwide competition to find the 2023 European Capital of Culture has been launched. The competition process has two selection phases and lasts two years. The winning UK city will be announced by the end of 2018. Following the Board's last meeting a joint letter from the EEHT and Culture and Tourism Board was sent to the secretary of state seeking clarity on the continuing eligibility of UK cities to European Capital of Culture funding. Information on the competition can be found [here](#). The Boards' letter to the Secretary of State can be found attached as **Appendix A**.

Karen Bradley MP,
Secretary of State,
Department for Culture, Media & Sport
100 Parliament Street
London
SW1A 2BQ

1 December

Dear Secretary of State,

European Capital of Culture 2023

We are writing to ask you to provide clarity about whether UK cities remain eligible to bid to host the European Capital of Culture in 2023, as planned.

We appreciate that the referendum decision has created uncertainty in many areas. However, this is a pressing matter due to the level of planning and investment required, and you will appreciate that many of our cities have already been preparing for months in expectation of a bidding process opening at the end of 2016.

Councils recognise the value of investing in culture, amply demonstrated by Liverpool's success as Capital of Culture in 2008. Cultural investment can bring communities together, attract new businesses, and create a compelling narrative of place that appeals to both domestic and international tourists.

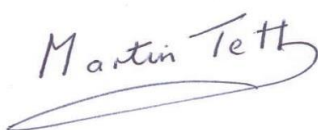
However, both councils and their business partners need some assurances of the platform they will have to showcase their work, so that they can plan and invest accordingly.

We hope that you will consider the issue as a point of urgency and be able to provide clarity on the position.

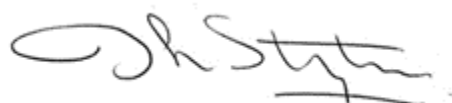
If you intend to launch the bidding process, we urge you to do so as soon as possible so that councils and their partners can develop the best possible bids to showcase their areas and the wider UK.

We have separately written to you about delivering the keynote speech at our annual culture, tourism and sport conference on 23rd February and, although you are unable to attend in person, hope you will be able to be represented by one of your ministers.

Yours sincerely,

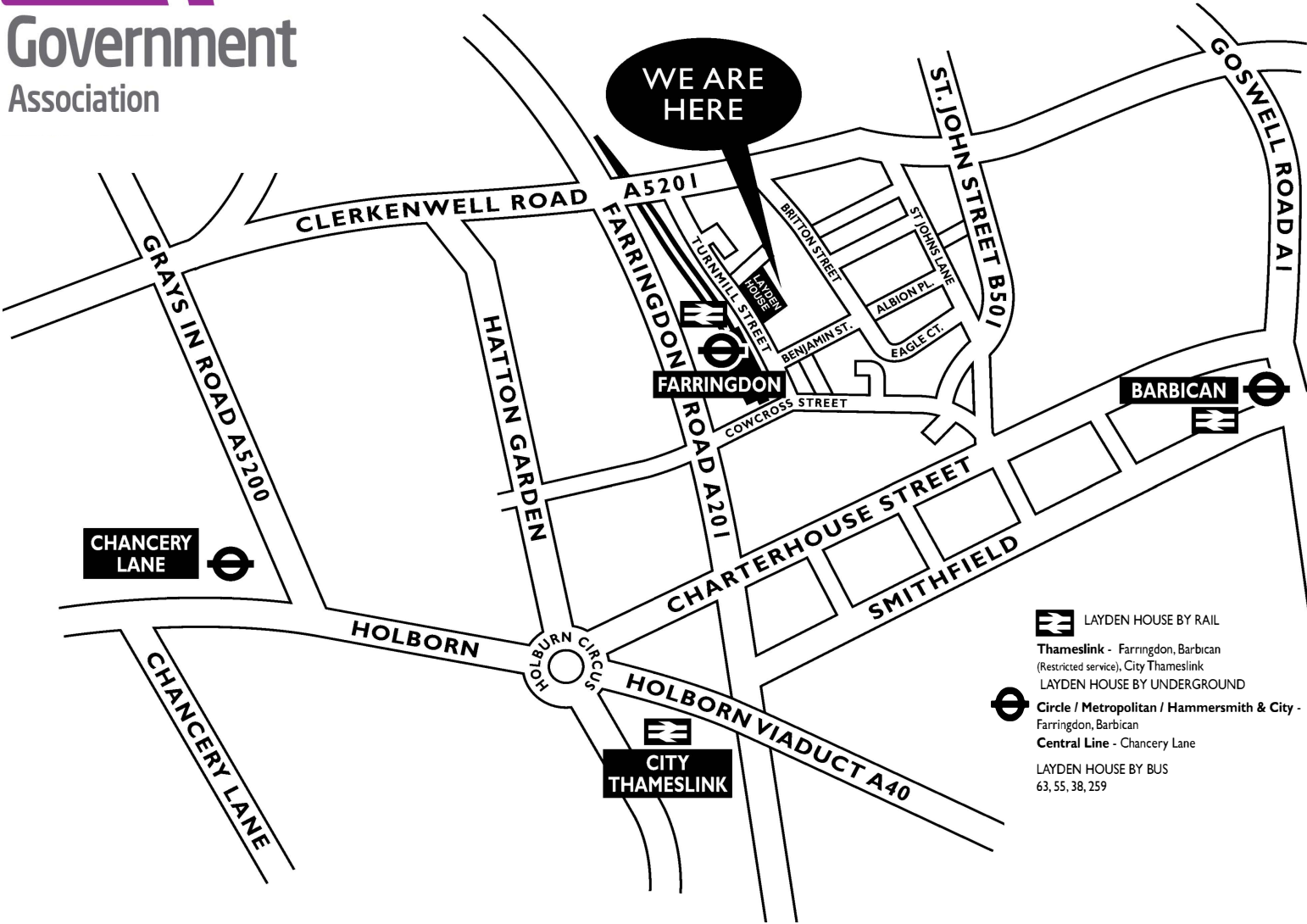


Cllr Martin Tett
Chairman, LGA Economy, Environment,
Housing and Transport Board



Cllr Ian Stephens
Chairman, LGA Culture, Tourism & Sport Board

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Layden House

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**The Local Government Association will be based at Layden House whilst refurbishment takes place at their offices in Smith Square.*

Public Transport

Layden House is served well by public transport. The nearest mainline station is **Farringdon** (Circle, Hammersmith & City and Metropolitan Lines. It also has Overground lines)

Bus routes - Farringdon Station

- 63 - Kings Cross - Crystal Palace Parade (**Stop A/B**)
- 55 - Oxford Circus -High Road Leyton (**Stop E/K**)
- 243 - Redvers Road - Waterloo Bridge (**Stop E/K**)

Cycling Facilities

The nearest Santander Cycle Hire racks are on Theobold's Road.
 For more information please go to www.tfl.gov.uk

Car Parks

- Smithfield Car Park - EC1A 9DY
- NCP Car Park London Saffron Hill - EC1N 8XA