

Environment, Economy, Housing and Transport Board

Agenda

Tuesday, 22 March 2022
11.00 am

Hybrid Meeting - 18 Smith Square and
Online

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
22 March 2022

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Labour:	Group Office: 020 7664 3263	email: labgp@lga.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

Attendance:

Your attendance, whether it be in person or virtual, will be noted by the clerk at the meeting.

LGA Contact:

Emilia Peters
emilia.peters@local.gov.uk

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Environment, Economy, Housing & Transport Board – Membership 2021/22

Councillor	Authority
Conservative (7)	
Cllr David Renard (Chairman)	Swindon Borough Council
Cllr Kelham Cooke	South Kesteven District Council
Cllr Mark Crane	Selby District Council
Cllr Daniel Humphreys	Worthing Borough Council
Cllr Paul Marshall	West Sussex County Council
Cllr Patrick Nicholson	Plymouth City Council
Cllr Linda Taylor	Cornwall Council
Substitutes	
Cllr Tony Ball	Essex County Council
Cllr Andrew Gravells MBE	Gloucestershire County Council
Cllr Imogen Payter	Havant Borough Council
Labour (7)	
Cllr Darren Rodwell (Vice-Chair)	Barking and Dagenham London Borough Council
Cllr Martin Gannon	Gateshead Council
Mayor Philip Glanville	Hackney London Borough Council
Cllr Ed Turner	Oxford City Council
Cllr Claire Holland	Lambeth London Borough Council
Cllr Cathy Mitchell	Warrington Borough Council
Cllr Emily Darlington	Milton Keynes Council
Substitutes	
Cllr Clare Penny-Evans	Newcastle upon Tyne City Council
Cllr Kevin Peel	Bury Metropolitan Borough Council
Cllr Martin Whelton	Merton London Borough Council
Liberal Democrat (2)	
Cllr Pippa Heylings (Deputy Chair)	South Cambridgeshire District Council
Cllr Vikki Slade	Bournemouth, Christchurch and Poole Council
Substitutes	
Cllr Stewart Golton	Leeds City Council
Independent (2)	
Cllr Loic Rich (Deputy Chair)	Cornwall Council
Cllr David Beaman	Waverley Borough Council
Substitutes	
Cllr Jamie Osborn	Norwich City Council
Cllr Diana Moore	Exeter City Council
Cllr Ed Gemmell	Buckinghamshire Council

Cllr Paul Hilliard	Bournemouth, Christchurch and Poole Council
Cllr Phil Jordan	Isle of Wight Council

Agenda

Environment, Economy, Housing & Transport Board

Tuesday 22 March 2022

11.00 am

Hybrid Meeting - 18 Smith Square and Online

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Date of Next Meeting: Thursday, 23 June 2022, 11.00 am, Hybrid Meeting

Council housebuilding

Purpose of report

For discussion

Summary

This report provides an update on the Board's recent lobbying and improvement activity in relation to council housebuilding and recent government announcements. It also outlines a number of risks and opportunities for councils seeking to build and asks Members to consider and agree next steps in the LGA's lobbying approach.

Victoria Latham, Deputy Director, Local Authority Housing and Right to Buy at the Department for Levelling Up, Housing & Communities will also be attending the EEHT Board to give an overview of the Department's work on council housing.

Is this report confidential? Yes No

Recommendation/s

That Members:

1. Reflect and provide any comments on the key issues outlined in the **paragraphs 6-10** and provide a steer on any omissions.
2. Comment on the set of proposed actions (**paragraph 12**) for the Board to pursue over the remainder of the current Board cycle.

Action/s

LGA officers to take forward as agreed.

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Council housebuilding

Background

1. There continues to be central government interest in the role that council housebuilding can play in addressing the national housing shortage and a continued appetite from councils to have the increased powers, flexibilities and funding to enable them to do more.
2. Since the lifting of the borrowing cap in 2018 there have been a number of additional government announcements which have been encouraging:
 - 2.1. Increased Right to Buy flexibilities: increasing the length of time which receipts can be retained from 3 to 5 years; raising the cap on the proportion of the cost of a replacement affordable home that can be financed by Right to Buy receipts from 30 per cent to 40 per cent and the ability to use receipts for shared ownership as well as social and affordable rent properties
 - 2.2. The [Brownfield Land Release Fund](#) delivered by the One Public Estate Programme on behalf of the Department for Levelling Up, Housing and Communities (DLUHC)
 - 2.3. A commitment in the Levelling Up White Paper for an [increased role for Homes England](#) in supporting local authorities and mayors to realise their ambitions for new affordable housing and regeneration
 - 2.4. A recognition in the [Levelling Up White Paper](#) that there is a 'significant unmet need for social housing' and a commitment to review how to support councils to deliver greater numbers of council homes
3. Whilst there have been a number of positive steps in the right direction which offer improved opportunities for councils to step up delivery, there continue to be a range of factors that are impeding their ability to deliver at the scale and the pace they would like. These are outlined in further detail in **paragraphs 6-10**.
4. There are nearly 1.2 million households on [local authorities' housing waiting lists](#) and more than [96,000 households in temporary accommodation](#). Local authorities are also playing a critical role in providing support to new arrivals from Afghanistan and the LGA is also working across government to clarify details of the new schemes which will support new arrivals from Ukraine. This includes the recently announced '[Homes for Ukraine](#)' scheme. Households will be offered £350 per month to open up their homes to new arrivals for at least six months and councils will also receive £10,500 in extra funding per refugee for support services - with more for children of school age. It will be vital that councils, the community and voluntary sector and other key local partners are involved in co-designing this sponsorship scheme so it can move at pace and scale. This ongoing high level of demand for housing means there has never been a more important time for councils to have all the levers they need to play a larger role in direct delivery.

5. Despite the continuing challenges to direct delivery, councils are continuing to proactively plan for and build more homes, across all tenures. DLUHC issued a survey to councils in August 2021 asking local authorities about their building plans over the next 5 years (2021/22 to 2025/26). The primary aim was to get a better understanding on local authorities' future direct delivery plans, with a view to inform future policy decisions around local authority supply. The LGA promoted the survey amongst its members and there was a 45% response rate. The Department has shared the responses with the LGA and they tell a really positive story of councils' continued strong appetite and plans to build. The Department has not yet published the survey results.

Key issues

6. The LGA, through the work of the Board, has been lobbying both publicly and privately on the issues summarised below – notably with DLUHC and BEIS officials and ministers. We are working to extend our reach into Treasury on our key messages – particularly around the fiscal interventions needed. The levelling-up agenda and recent commitments on supporting councils to deliver more homes provide an opportune moment to ramp up our lobbying activity.
7. Mechanics of Right to Buy – the current rules on use of Right to Buy receipts continue to be a significant impediment to delivery of new homes, despite the welcome reforms introduced last year. Specific issues include:
 - 7.1. The proportion of the receipt taken by the Treasury: the Treasury cap (that is the maximum amount of current RTB receipts payable annually to the Treasury by councils) has remained at £183 million since 2015-16, although the actual figures paid are not available publicly
 - 7.2. The length of time which receipts can be retained before they have to be returned to Treasury (although the extension from 3 to 5 years is positive)
 - 7.3. The cap on the cost of a replacement affordable home that can be financed by Right to Buy receipts – now increased from 30% to 40%, but still an unhelpful limitation
 - 7.4. The level of discounts – the LGA has lobbied for discounts to be set locally.
 - 7.5. The rule preventing the use of receipts with grant (e.g. from Affordable Homes Programme) or section 106 money in the same scheme
 - 7.6. Other technical elements including the cost floor and the period from which a tenant can exercise their Right to Buy, which in some cases can disincentivise delivery of new homes through the HRA
8. Uncertainty over future national rent policy – there needs to be a consistent approach to future rents policy and no wider policy changes that would compromise the major investment commitments of councils. The certainty of the [10-year rent settlement](#) announced in 2013 was welcomed but unfortunately short-lived. We are lobbying for a long-term rent deal for council landlords to allow a longer period of annual rent increases for a minimum period of at least ten years. This should include some flexibility for

councils to address the historic anomalies in their rents as a result of the ending of the 'convergence' policy. Any increase in rents will need to be balanced carefully with the ability of tenants to pay, particularly given ongoing cost of living concerns.

9. Uncertainty over future costs and potential implications on financial health of Housing Revenue Accounts (HRA) – there is increasing concern from stock-holding authorities about the financial health of their Housing Revenue Accounts in the face of additional uncertain cost pressures and priorities coming down the line e.g. decarbonisation of homes; building and fire safety requirements; increased construction costs and a potential revised Decent Homes Standard. Without a sufficient resourcing package that will likely need to be delivered through a combination of rents policy, grant subsidy and other flexibilities (e.g. on Right to Buy), there will need to be trade-off decisions made in terms of balancing priorities at a local level. This is likely in some cases to put at risk the ability of councils to deliver on their new build programme ambitions. A recent announcement which is of particular concern is a number of changes to the [Building Safety Bill](#). The changes are significant and will mean that freeholders will be responsible for relevant remediation costs on buildings over 11 metres. Our understanding is that councils will not be eligible for government funding. We are urgently working with DLUHC to develop a shared understanding of the scale of the impact that this could have on local authorities who own housing stock that is over 11 metres that has any fire safety defect. While we support the government's efforts to protect leaseholders from the cost of remediation, we have expressed strong concern that the arrangements currently being considered will mean that the cost of remediating social housing blocks falls on council Housing Revenue Accounts (HRA) – with a knock-on impact on social housing tenants who will ultimately be subsidising the failures of private developers and paying the cost of both remediating council housing and privately-owned housing. Another impact will be possible delays to other scheduled repair and maintenance plans that will affect both private owners and social housing tenants within council owned blocks. Item 3 provides more information on our activity in this area.

10. Minimum Revenue Provision – as flagged at the last EEHT Board meeting the government has recently [consulted on changes](#) to the capital framework Minimum Revenue Provision requirements. We have raised concerns in our [response](#) that there will be significant financial consequences for some councils which will need to be addressed. In relation to council housing, there is a significant concern that in addition to immediate financial consequences arising relating to existing schemes, the proposals will also severely limit councils' options for delivering priority capital investment in the future. Several councils have raised concerns that the proposals will seriously compromise future housing delivery, particularly through companies that deliver housing outside of the Housing Revenue Account, with a concern that such schemes will cease to be viable and those schemes will never be built out (the market will not step into these sites) and therefore national housing delivery will be compromised. We have recommended a number of mitigations in our response, including that any changes to the legislation should only affect future and not existing schemes.

11. Resources for estate regeneration – this issue has come up at a number of EEHT Boards in recognition that in some parts of the country, it is not net additional supply that is needed, but investment in estate regeneration of ageing stock that is no longer fit for purpose. National funding over recent years (e.g. the Affordable Homes Programme) has focused on delivering additional homes, but the levelling-up commitments, including a new role for Homes England in supporting regeneration, provide a renewed opportunity to make potential strides in our lobbying to secure more funding, capacity and capability support in this area. We will be engaging with Homes England to ensure that any changes meet the needs of local authorities.

Next steps

12. Subject to feedback from Board Members, there are a number of potential opportunities to build on the work of the Board to date. Members are requested to give their steer on the following areas for focus for the remainder of the current Board cycle:
- 12.1. Cllr Renard to meet with the new Housing Minister/invite the minister to the Board to discuss the issues set out above
 - 12.2. Cllr Renard to meet with Homes England Chairman and/or invite Homes England to a future Board meeting
 - 12.3. Commission further research to evidence the impact that our proposed policy and fiscal interventions could have at a local authority level in terms of scaling up direct delivery.
 - 12.4. Continue to share local authority experiences and good practice on council housebuilding through our sector-led improvement offer
 - 12.5. Commission further analysis on the cost of decarbonising council housing stock

Implications for Wales

13. Housing policy is a devolved issue.

Financial implications

14. Funding for additional work in this area has already been allocated from existing budgets.

Building Safety update

Purpose of report

For discussion.

Summary

This report aims to update members on the LGA's building safety-related work since the committee's last meeting.

Recommendation

That members note and comment on the LGA's building safety related work.

Action/s

Officers to incorporate members' views in the LGA's ongoing building safety related work.

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Building Safety update

Background

1. Since the committee's last meeting, the LGA has continued to work with DLUHC and the Home Office to support building safety reform and the remediation of dangerous buildings.
2. The most significant development has been further detail on the impact of the government's plans to protect leaseholders and make developers and companies pay to fix the cladding crisis.
3. The Building Safety Bill is currently at the committee stage in the House of Lords, and the Fire Safety Act is yet to commence.

Remediation

Progress

4. Progress continues to be made in carrying out remediation of all identified high-rise residential and publicly owned buildings in England with combinations of aluminium composite material (ACM) cladding and insulation found not meeting the building regulation standards.
5. [Statistics](#) published by the Department for Levelling Up, Housing and Communities show that of January 2022, 93% of all identified high-rise residential and publicly owned buildings in England had either completed or started remediation work to remove and replace unsafe Aluminium Composite Material (ACM) cladding.
6. The Department for Levelling Up, Housing and Communities has also launched [a new online service](#) to help leaseholders track the remediation of their property.
7. Under the Leaseholder and Resident Service, those living in tower blocks will have access to updates on the status of their building's application to the government's Building Safety Fund.
8. It is hoped the service will speed up the process of removing unsafe non-ACM cladding from the highest risk buildings, force building owners to be more transparent, and expose those who have failed to take action to make their buildings safe.

Future Policy

9. The Building Safety Regulator will not be in a position to drive remediation until 2024 at the very earliest. In the meantime, DLUHC is developing a strategic approach to remediations as the LGA has called for. As part of this process, a remediation partners group which has met on an ad hoc basis for a couple of years, has been formalised, bringing together the LGA, National Fire Chiefs Council and the Home Office under DLUHC chair. The purpose of the group is to drive the pace at which the residential

building stock is remediated by building owners in response to emerging issues following the Grenfell Tower Fire, through effective local regulatory activity. It does this by:

- 9.1 Identifying barriers to remediation that are relevant to regulators and their remedies.
- 9.2 Identifying barriers to effective regulation and their remedies.
- 9.3 Identifying and promoting ways in which regulators can support effective remediation, including through joint working.
- 9.4 Identifying and promoting ways in which DLUHC (and government more widely) and other meeting members can support regulators' performance.
- 9.5 Building positive relationships

10. The Board will

- 10.1 Consider and action activity to progress remediation, mitigate risks and ensure owners' actions are proportionate.
- 10.2 Identify any areas/regions or buildings that may require further support. Consider actions to progress remediation.
- 10.3 Discuss policy issues across regions.
- 10.4 Share information among members.
- 10.5 Receive relevant, available, data on remediation and interim measures.
- 10.6 Consider relevant data: remediation progress/fund progress/interim measures.
- 10.7 Report to The Partnership Board.
- 10.8 Inform the Fire Protection Board of the Meeting's discussions.

11. Although the detail has yet to be fully worked out, the direction of travel is that the Government wants councils and fire services to coordinate their efforts and to support remediation through inspection and enforcement.

12. To support councils and fire services in this work the LGA is engaged on a number of activities:

- 12.1. Hosting a document - [Principles for effective regulation of Fire Safety in purpose-built blocks of flats](#) - drawn up by sector experts led by the LGA and NFCC, to assist council private sector housing enforcement and the fire service to work together to inspect and enforce in relation to dangerous cladding. The text was completed in December last year and the document is in the process of being uploaded onto the LGA website
- 12.2. Commissioning six case studies of joint working. These have been commissioned and at least three will be published by the end of March.

- 12.3. Holding two webinars on joint enforcement in March.
- 12.4. Discussing the funding of the Joint Inspection Team next year with DLUHC with a view to significantly expanding it. This is overseen by the JIT Programme Board. The JIT will continue at a minimum of the same size and activity level in 2022-3 as it has done this year. Discussion are underway over a possible expansion.
- 12.5. Liaising with DLUHC who are planning to write to councils setting out priorities shortly.

Fire Protection Board

13. The report of the Building Risk Review should be published shortly.
14. The BRR work has demonstrated the need for a data system to bring together the information on buildings over 18m in a way that supports effective enforcement. LGA and NFCC have made the case to DLUHC for this resource to be developed as a priority.
15. The success of the BRR has raised questions about whether there should be a follow up exercise aimed at medium rise (11-18m) blocks. However, there are believed to be at least six times as many of these. It is therefore unlikely that the same approach will be taken, and initial work is being undertaken to try and establish an effective method of sampling to estimate the size of the problem and prioritising buildings.

Reform

Building Safety Bill leaseholder costs

16. New measures that will force industry to pay to [remove cladding and protect leaseholders](#) from high costs were unveiled by the Secretary of State for Levelling-Up as part of proposed amendments to the Building Safety Bill.
17. Under the plans, developers and manufacturers would be blocked from the housing market by being refused planning permission and building control sign-off if they did not help fix cladding safety issues.
18. New powers would also allow cladding companies to be sued and subject to fines for defective products, and protections for leaseholders would be extended to cover other fire safety defects.
19. The proposed measures align with the LGA's fundamental asks: that the construction industry, developers, and manufacturers should pay for the cladding crisis. However, the details of the measures – in particular, the precise definition of developer, have implications for social housing. The LGA is assisting DLUHC in identifying the implications of policy options and is lobbying to protect the housing revenue account and to avoid social housing tenants being required to pay for to solve the building safety crisis.

Levelling-up Select committee

20. The Secretary of State for Levelling-up appeared in front of the Levelling Up Select Committee. This is part of the Committee's Inquiry on building safety remediation and funding. It looked at the announcements previously made by the Secretary of State about forcing industry to pay to remove cladding and protect leaseholders from high costs.

- Told MPs the taxpayer may have to pay more to make buildings safe as it was proving difficult to get companies who made combustible materials to pay to fix the building safety crisis.
- Promised to limit leaseholders' bills for non-cladding costs to a maximum of £15,000 in London and £10,000 elsewhere. Contributions to things like waking watch would be set against the cap.
- The withdrawal of the Consolidated Advice Note would eliminate EWS forms overnight. It was estimated 5% of properties would require External Wall System (EWS) forms. The Government was looking at other ways to provide lenders with assurances about fire safety.

Building Safety Bill House of Lords

21. The Building Safety Bill is currently in the House of Lords at the [report stage](#). The report stage gives all members of the Lords a further opportunity to examine and make amendments to a Bill.

22. The LGA has four core asks around the Building Safety Bill at present. These are addressed in order of priority below.

22.1. We ask that the Government distinguish developers and local authorities to ensure Housing Revenue Accounts (HRAs) are not forced to choose between remediation and essential services.

22.2. We ask that the construction industry, as well as developers and manufacturers, should pay for the crisis.

22.3. It is essential to expand the scope of the Bill so that the more stringent building safety framework applies not just to buildings over 18 metres but also to those under 18 metres where those buildings are multiple occupancy dwellings.

22.4. Councils must be funded to deliver the Building Safety Regulator (BSR). The current BSR structure means enforcement and inspection activity will, in practice, be conducted to a large degree by councils and fire and rescue services. The LGA remains concerned at the prospect that the Government is not providing sufficient funding to allow the fire service to expand its capacity to the extent required to deliver the Building Safety Regulator's functions adequately. This is the subject of another paper.

23. The LGA'S complete submission to the House of Lords at the committee stage can be found [here](#).

24. The LGA has tried to push through two amendments to the Building Safety Bill:

24.1. An amendment to Clause 57 ensures that the planned Levy does not apply to social housing.

The Levy is designed to cover the cost of government support for the remediation of unsafe cladding. This support is provided to leaseholders in buildings with unsafe cladding systems, either through the building safety fund or through a system of low-cost loans for buildings under 18m. For the most part, this support is not available to social landlords. Except for buildings with ACM cladding, social landlords have been denied access to these funds.

For councils, these remediation costs, therefore, fall on the Housing Revenue Account and must be recouped either through rent increases or by diverting funds away from improvements to council housing or the provision of new council housing. If the Levy is imposed on councils, it will increase the cost of building or refurbishing social housing or increase rents. Yet, the benefits to funds will not be available to the tenants who would otherwise have benefitted from lower rents or better housing.

24.2. The Building Safety Bill fails to apply the gateway system to buildings under 18 metres.

This will create a two-tier system where buildings under 18 metres will face less rigorous safety regulations than those over 18 metres. However, height is a crude determinant of risk.

Therefore, we have called for an amendment requiring buildings under 18 metres to pass through Gateway 2 and Gateway 3 (The Bill does not cover gateway One).

We also seek to ensure that the local authority is the building control authority for the Gateway system under 18 metres, to remove developer choice.

By eliminating the right of developers to pick their own regulator for buildings over 18 metres, the Government has acknowledged the damaging impact this has had on safety. Local authority building control will deliver most of the Building Safety Regulator's building control services in relation to buildings over 18m; our amendment provides the same reassurance to those living in lower buildings without overburdening the new regulator.

The LGA hopes to promote a further amendment protecting social housing tenants from the costs of remediation.

House Of Commons Oral Evidence by Cllr Rachel Blake on behalf of the LGA

25. Cllr Rachel Blake gave [oral evidence](#) in the Commons at Levelling Up, Housing and Communities Committee (Building Safety: Remediation and Funding) on behalf of the LGA.

26. The committee was looking at the Secretary of State's statement on [10 January](#) about potential new ways of raising money and which buildings might be affected.
27. Several concerns were raised on behalf of councils.
- 27.1. The first is about fire safety costs that do not come under cladding. These costs are equally burdensome and are related to cladding remediation works in some cases; therefore, should be added to any remediation cost funding formulas.
- 27.2. The second is that leaseholders are not the only victims of the construction industry's failure to build safe homes. Government should also seek ways to cover the costs of social landlords because failure to do so is exposing housing revenue accounts.

The LGA also sent in written evidence to the committee.

Fire Safety act

28. The Fire Safety Act is still yet to commerce.

Grenfell Fire Inquiry

29. The Inquiry into the Grenfell Tower fire is still ongoing. The Inquiry was created to examine the circumstances leading up to and surrounding the fire at Grenfell Tower on the night of 14 June 2017. The Inquiry is currently hearing evidence on the role of the central government in establishing the legislative regime and formulating guidance on how to comply with it. Officers continue to follow events at the Inquiry.

Implications for Wales

30. Building regulations and fire and rescue services are devolved responsibilities of the Welsh Assembly Government, and the main implications arising from the recommendations of the Hackitt Review and the government's response to it are on building regulations and fire safety in England. However the Welsh government has announced that it will be making the changes recommended in the report to the regulatory system in Wales, and the LGA has been keeping in contact to ensure the WLGA is kept informed of the latest developments in England.

Financial Implications

31. Although the LGA has set up the Joint Inspection Team, the cost of doing so is being met by DLUHC. Other work arising from this report will continue to be delivered within the planned staffing budget, which includes an additional fixed term post in the safer community's team to support the LGA's building safety work.

Next steps

32. Officers to continue to support the sector's work to keep residents safe and reform the buildings safety system, as directed by members.

Transport – Fixed Penalty Notices and Buses Funding update

Purpose of report

For direction and information

Summary

At present, the only route for councils outside of London to deal with certain highways offences that cause obstruction or prevent the safe and smooth operation of local highways is through issuing warnings, and then prosecution. London Boroughs have the powers to issue Fixed Penalty Notices. The LGA has been approached for support by Thurrock Council on behalf of a consortium of Essex authorities to seek similar powers as London for places outside of the capital.

This report also includes an update on Bus Recovery Funding.

Is this report confidential? Yes No

Recommendation

That the EEHT Board:

1. That the Board agree that the LGA should support the call as raised by Thurrock and the consortium of Essex Councils.
2. Endorse LGA undertaking further work on this issue.
3. Note the information on the Bus Recovery Grant

Action

As directed by the Board

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Transport – Fixed Penalty Notices and Buses Funding update

Background

Fixed Penalty Notices for Highways offences

1. The LGA received a letter from Thurrock Council (see appendix A) on behalf of 12 Essex Councils calling for authorities outside London to be given the same powers as London Boroughs to deal with certain offences as set out in the Highways Act 1980. LGA officers have met with Thurrock officers, who are looking for LGA support in the call for more powers. The letter sets out in further detail the powers that are sought.
2. In summary, the councils are looking for the ability to issue Fixed Penalty Notices (FPNs) for such offences as unlicensed skips and wilful obstruction of the highways amongst a list of 21.
3. At present, the only route for councils outside of London to deal with such offences is through issuing warnings, and then prosecution. This is considered to be an unfair and inconsistent approach for non-London authorities and can be very time consuming and costly. The power to issue fixed penalties notices immediately/on the spot, when an enforcement officer witnesses a Highways Act offence, would accelerate enforcement action and deter future criminal behaviour. This frees up EO time to deal with other priority issues, such as fly-tipping.
4. It is proposed that the LGA support this call to align powers to London and work with councils and the DfT to bring about this change. It is likely that primary legislation will be needed and to help make the case further work will be needed, such as providing a firmer evidence base.
5. From the Government's perspective this would be a zero or negative cost intervention if it eases pressure on the courts. It also aligns with the Government's Levelling Up ambition and helps improve the quality of life for residents, improving safety on local highways outside of London.

Bus funding

6. Following extensive pressure from the LGA, councils and operators, the Government [announced an additional £150 million funding for bus and light rail operators until October 2022](#) to ensure services can continue to run. The Bus Recovery Grant was due to finish at the end of March 2022, but as passenger numbers have not yet recovered to original forecasts because of the Omicron variant and Plan B measures, there was a serious risk that substantial services and routes would be lost without further support. This campaign follows a letter from the Chairman of the EEHT Board to the Transport SoS and the Chancellor, to which Baroness Vere replied (Appendix B) on 21st February to indicate that the Government was listening and considering options.

7. The attached letter from Baroness Vere confirms the extension as well as stating that further information will be provided, including on conditions of the funding.
8. The LGA will continue to call on the Government to continue to show strong commitment to the National Bus Strategy, including providing an ambitious long-term funding settlement for local buses and Bus Service Improvement Plans in all areas.

Implications for Wales

9. The highways act offences would be a devolved matter for the Welsh Assembly

Financial Implications

10. On FPN powers, no financial implications are expected immediately for this work, and it is anticipated this would be self-financing if councils were to be given this power.

Next steps

11. That the Board agree that the LGA should support the call as raised by Thurrock and the consortium of Essex Councils.
12. Endorse LGA undertaking further work on this issue.
13. Note the information on the Bus Recovery Grant

Via email to: info@local.gov.uk
Local Government Association
18 Smith Square
Westminster
London
SW1P 3HZ

7 December 2021

Dear LGA,

Re: Proposal for 12 Councils to adopt the use of fixed penalty notices for the following offences relating to:

- **Highways Act 1980, in accordance with Section 8, schedule 4, London Local Authorities & Transport for London Act 2003 as amended**

Local authorities have a strong positive history in protecting their communities from anti-social behaviour and environmental crime that damages the public realm with littering, fly tipping, and flyposting.

The key way identified offenders are sanctioned for their unlawful behaviour is through the use of fixed penalty notices, administered by local authorities. That approach has seen to improve the deterrence of further offending whilst negating the need for costly litigation in a criminal court, protecting the wider-criminal justice ecosystem from a volume of cases, where:

- Payment of a fixed penalty notice provides the offender/s with an opportunity to discharge their liability to conviction, by payment of the fixed penalty notice as opposed to offenders being summonsed to court and;
- If convicted the fines can be far higher than the fixed penalty notice along with the impacts of any costs and offenders receiving criminal convictions.

Increased Powers Sought

The Highways Act 1980 provides the police and local authorities the power to prosecute perpetrators through the criminal courts, where there is a identified breach of legislation. In London, the London Local Authorities & Transport for London Act provides all *London* boroughs the power to issue fixed penalty notices for certain offences relating to the Highways Act.

The 12 Councils listed below, would like to make an application requesting that the Secretary of State extend these powers to issue fixed penalty notices as London boroughs.

Need for Additional Powers

The 12 local authorities who have co-signed this letter are experiencing dangerous highway offences such as unlicensed skips and wilful obstruction of the highways without the ability to tackle the problem. There are incidences of unlicensed skips that obscure the view of passing motorists and cyclists. The ability to deal with such offences by way of issuing fixed penalty notices would not only ensure a more efficient and effective response but would increase public confidence by better protecting our residents and businesses from environmental crime and Anti-Social Behaviour.

Council Officers outside London do not have the powers to issue fixed penalty notices at the first course of action for Highways Act offences e.g. placing skips or building materials on the public highways without a licence. The only available options to our Enforcement Officers are to consider warnings and then straight to prosecution causing an imbalance in fairness and consistency in local government.

The availability to issue fixed penalties notices immediately/on the spot, when an Enforcement Officer witnesses a Highways Act offence, would accelerate enforcement action and deter future criminal behaviour. This would be of great benefit to the residents of the 12 Councils listed below, as it will assist in keeping streets safe, clear of unscrupulous activity and any individuals placing items on the highway which causes a detriment, annoyance and danger to the road and footpath user.

We wish to adopt the same powers as London boroughs in issuing fixed penalty notices, to persons who breach the Highways Act. 1980.

The offences we wish to enforce are outlined in the attached Appendix 1 of the London Local Authorities Act 1990 as amended and schedule 4 of the London Local Authorities & Transport of London Act 2003 as amended. The attached appendix and schedule also provides details of associated offences and their fixed penalty values.

Yours sincerely



Cllr Rob Gledhill
Leader of Thurrock Council - On behalf of:

Basildon Council
Brentwood Borough Council
Castle Point Council
Chelmsford City Council
Colchester Borough Council
Essex County Council

Encl: Appendix 1 of the London Local Authorities Act 1990

Schedule of associated offences and their fixed penalty values

London Local Authorities and Transport for London Act 2003

Section
8

OFFENCES IN RESPECT OF WHICH FIXED PENALTY NOTICES MAY BE SERVED
UNDER SECTION 8 (FIXED PENALTY OFFENCES) OF THIS ACT

	(1)	(2)	(3)	Rate
	Act	Section	Description of Offence	
1	Highways Act 1980 (c. 66)	132(1)	Painting or otherwise inscribing or affixing picture etc. upon the surface of a highway or upon a tree, structure or works on or in a highway	£100
2		137(1)	Wilful obstruction of highway	£100
3		138	Erecting a building, fence or hedge on highway	£100
4		139(3)	Depositing builder's skip on highway without permission	£150
				£150

5		139(4)(a)	Failure to secure lighting or other marking of builder's skip	
6		139(4)(b)	Failure to secure marking of builder's skip with name and address	£150
7		139(4)(c)	Failure to secure removal of builder's skip	£100
8		139(4)(d)	Failure to comply with conditions of permission	£150
9		140(3)	Failure to remove or reposition builder's skip	£150
10		141(3)	Failure to comply with notice requiring removal of tree or shrub	£100
11		147A(2)	Using of stall etc. for road side sales in certain circumstances	£100
12		148(a)	Depositing material etc. on a made-up carriageway	£150
13		148(b)	Depositing material etc. within 15 feet from centre of made-up carriageway	£100
14		148(c)	Depositing anything on highway to the interruption of user	£100
15		148(d)	Pitching of booths, stalls or stands or	£100

			encamping on highway	
16		151(3)	Failure to comply with notice requiring works to prevent soil or refuse escaping onto street or into sewer	£100
17		152(4)	Failure to comply with notice requiring removal of projection from buildings	£100
18		153(5)	Failure to comply with notice requiring alteration of door, gate or bar opening outwards onto street	£100
19		155(2)	Keeping of animals straying or lying on side of highway	£100
20		161(1)	Depositing things on highway which cause injury or danger	£100
21		169(5)	Erecting scaffolding or other structure without licence or failing to comply with terms of licence or perform duty under subsection (4)	£100



Department
for Transport

Baroness Vere of Norbiton
Transport Minister for Roads, Buses and
Places

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: baroness.vere@dft.gov.uk

Web site: www.gov.uk/dft

Councillor David Renard
Local Government Association
18 Smith Square
Westminster
London SW1P 3HZ

2 March 2022

Dear David,

BUS AND LIGHT RAIL COVID-19 FUNDING FROM APRIL 2022

Thank you for your support over the past two years in ensuring that vital bus and light rail services have been able to continue to serve the needs of passengers and local communities during the pandemic. The government understands the importance of local transport networks to local areas and has provided around £2bn of support to date, through emergency and recovery grants, to mitigate the impacts of the pandemic. However, following discussions with transport operators and local authorities responsible for bus and light rail systems, I am aware of the difficulties no further funding would have presented, including de-registration of services.

Therefore, following negotiations, I am delighted to announce that I am making available over £150m to local transport providers to continue supporting the sector as we build back better following the Covid-19 pandemic. The funding will support bus operators and local authorities responsible for bus and light rail services from April until October. This is alongside the £29m uplift to the Bus Recovery Grant announced earlier this year.

We all know that demand for local transport has changed following the pandemic, with significant structural changes to travel patterns and a 'new normal' slowly emerging. The government's view is that local transport authorities and operators must continue to adapt to this change in a positive manner. As such one of the conditions of this new funding will be that both LTAs and operators work closely together to ensure that effective and

financially sustainable networks which cater for the needs of the local public are implemented once recovery funding ends. These will ensure a managed transition and that effective networks are provided to passengers, whilst the sector reaches a position where it no longer requires ongoing Covid-19 recovery funding.

Further information will be provided shortly regarding the nature and form of this condition, including any requirements for submission of information to DfT and timelines for this. This work will take into account the ongoing work around Enhanced Partnerships or Franchising that LTAs and operators are currently engaged in. Officials will also work with you to ensure you are aware of all conditions attached to the funding.

Local transport, at its core, is a public service, delivering benefits to the people and economies of the regions they serve. I would like to thank you all for working with the Department and for your ongoing support throughout the pandemic to ensure local public transport services were available to all those who needed them. My officials and I will continue to work closely with you and the sector to support the transition from recovery funding to becoming self-sustainable.

Yours,
Charlotte

BARONESS VERE OF NORBITON



22 March 2022

EEHT Update paper

Purpose of report

For information.

Summary

This paper provides updates on a range of issues within the remit of the Board that are not already covered in other Board agenda items.

Contact officer: Eamon Lally
Position: Principal Adviser
Phone no: 02076643132
Email: Eamon.lally@local.gov.uk

22 March 2022

Housing, Planning and Homelessness

Housing improvement

Out of Area Placement Protocol

1. Following a discussion at EEHT board and based on the results of the consultation, LGA will be publishing the proposed out of area placement protocol as guidance as soon as possible and asking as many councils as possible to make a pledge to adhere to the best practice within it. The guidance will apply to all homelessness and children's services placements made out of area and should greatly improve services for families experiencing homelessness as well as support for host authorities.

Exempt Accommodation

2. We submitted evidence to the House of Commons Levelling Up, Housing and Communities Committee Inquiry into exempt accommodation. We called for councils to have more of an oversight role as well as more control over referrals to ensure those with the most need are provided the right accommodation with the right support. We also called for housing benefit regulations to be amended to reduce exploitation of the rules. An LGA officer will also be attending the Homeless Link Accommodation Conference on 2nd March to talk through key issues and to share examples of quality standards for exempt accommodation.

Non-UK National Working Group

3. In partnership with Department for Levelling Up, Housing and Communities and the Home Office, we are leading on a working group to improve the processes and relationships between local authorities and the Home Office with regards to rough sleepers who are non-UK nationals. Various council officer representatives who work closely with rough sleepers met on Monday 7th March to discuss how better to work together. The meeting was co-chaired by Home Office and LGA and will meet quarterly going forward.

Temporary Accommodation Peer Support Programme

4. We have engaged with 50 councils over 9 delivery and impact panels and are now in the process of speaking to core cities who didn't have the chance to attend, as well as relevant third sector organisations. We've had excellent feedback from the councils who have taken part so far and have uncovered some brilliant practice. Associate Steve Bedser is currently working on the report, the first draft of which will be available at the end of April.

Housing Advisers Programme (HAP)

5. The HAP will benefit 91 councils across 30 projects for [2021/22](#). This includes local authorities that have been identified by the LGA to receive targetted support via the programme. The maximum grant, which has been awarded to 29 of the 30 projects, is

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£25,000 (the project undertaken by London Councils has been awarded £20,000). The impact of the HAP is far-reaching, with councils benefitting from a range of project areas including homelessness; green homes; housing supply; planning; private rented sector; skills; and strategy. An online survey of participants of the programme since its inception in 2017/18 found that one hundred per cent of respondents said that the project had a positive impact overall.

Social Housing Management Peer Challenge (SHMPC)

6. The SHMPC was piloted for the first time at South Holland District Council (SHDC). The SHMPC is based on the principles of the [Charter for Social Housing Residents](#). Two subsequent evaluation meeting will take place respectively with the Peer Team; and then the Leader and the Portfolio Holder for Housing at SHDC, to revise and enhance the guidance and framework for delivering the SHMPC. A second pilot will be delivered at the London Borough of Hounslow Council later this year, and subsequently we will roll out the SHMPC as a concerted offer to all Local Housing Authorities.

House of Commons, Levelling Up, Housing and Communities Select Committee Inquiry into Social Housing

7. In partnership with Public Affairs colleagues, we briefed Cllr Renard (as the Chair of the EEHT Board) to present oral evidence to the Committee. The Inquiry focussed on the reasons for the poor quality of some social housing; the effectiveness of the Housing Ombudsman and Regulator of Social Housing; the Government's Social Housing White Paper proposals; and the impact on the Housing Revenue Account.

Building Safety Bill Amendment

8. The Government has announced a number of changes to the [Building Safety Bill](#). Under the new legislation, leaseholders will be protected from all cladding remediation costs in buildings over 11 metres and it will be the freeholder that will be responsible for these costs. Developers and freeholders will be the first port of call to pay for other, non-cladding, historical safety defects. Local Authorities at present fall under the definition of 'developer' in the Building Safety Bill. The LGA has published [four core asks around the Building Safety Bill](#), which is currently at the Committee Stage in the House of Lords. We are working with the Department of Levelling Up, Housing and Communities (DLUHC), as well as the Association of Retained Council Housing (ARCH) and the National Federation of ALMOs (NFA), to engage Local Authorities to understand the impact of the amendment on stock they own over 11 metres and Housing Revenue Accounts. DLUHC will be contacting Local Authorities for data on their stock. In the first tranche, DLUHC will contact 50% of stock owning Local Authorities to ensure that there is a geographical and political mix, as well as a mix of management/ownership models.

Environment and Climate Change

Bad weather

9. The EEHT Board has worked with councils to understand the impacts of the recent bad weather – including Storm Eunice - and to support any discussions with partners and

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the Government on support. It also issued a statement reminding the public that council staff continue to work around-the-clock to ensure the safety of residents, homes and businesses, shore up flood defences, and protect road networks and power supplies as much as possible. We encouraged people living in affected areas to keep an eye on their councils' social media channels and their websites and follow their advice as they provide rolling updates on the situation, provide safety advice and detail any service disruption.

Waste and recycling

10. The EEHT Board continues to engage with councils and the Department for the Environment, Food and Rural Affairs on the next steps for the proposed waste reforms set out in the Resources and Waste Strategy. Defra has decided to delay the implementation of a new system of Extended Producer Responsibility (EPR) over concerns that the proposed date of 2023 did not give enough time to prepare key elements such as setting up a scheme administrator. This will delay the start of EPR payments to councils and we are increasingly raising concerns regarding the implementation of reforms set against the current timetable.
11. Government is expected to respond with their planned next steps on consistency and the deposit return scheme for drinks containers shortly, and with next steps on EPR to follow. Minister Jo Churchill from Defra held a roundtable with councils and industry representatives on recycling rates which the LGA Chairman attended. The Minister indicated that she wants to continue the conversations on improving recycling rates.

Office for Environmental Protection

12. Dame Glenys Stacy and Natalie Prosser, Chair and Chief Executive of the Office for Environmental Protection (OEP), attended the February board following the publication of the OEPs [draft strategy and draft enforcement policy](#). Following a presentation, the discussion focussed on how the OEP intends to work with all the public authorities it has jurisdiction over in a cooperative and colligate manner. The Board agreed that the LGA will submit a response to the consultation documents by 22 March 2022, based on the content of the discussion. The EEHT Board is increasingly concerned about the governance of partnership action on environmental matters and will develop a project on how to improve partnership working between agencies.

Biodiversity net gain

13. The Environment Act has laid the bones of the legislation needed for the new system of biodiversity net gain. Developers will be required to set out how their project will create an improvement to biodiversity, either on site or through another location. Defra has shared further details of how this will work in a consultation on the [Biodiversity Net Gain regulations and implementation](#). This consultation is relevant to councils as planning authorities and also in the potential for supporting local nature recovery. The Board will be responding to the consultation and is engaging with councils on this complex issue through a range of events.

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Tree planting and woodland creation

14. Defra and the Forestry Commission have launched two funding programmes to support tree planting, the [Local Authority Tree Planting Fund](#), now in its second round, and the [Urban Tree Challenge Fund](#). The Application for both programmes closes on 31 May 2022.

Local path to net zero

15. EEHT Board is working with City Regions and People and Places Board on a policy paper asking Government to consider a place-based approach for the delivery of retrofit employment and skills. The local path to net zero will require significant levels of buildings retrofit to ensure England's housing stock is both affordably warm and zero carbon. Retrofit offers an opportunity to gain qualifications that can support people into well paid stable employment. A key barrier to this is the reduction in funding for adult skills to Level 2 (equivalent to GCSE), which has been reduced by 50 per cent over the last decade. To enable skills and employment opportunities in green and new sectors to be maximised, the adult education budget (AEB) should [be restored to its 2010 levels](#) as minimum and devolved.
16. EEHT is co-funding a piece of research with the National Housing Federation to identify hard-to-decarbonise homes and possible policy solutions using in-year budget underspend. The NHF were primarily focussing on the social housing sector, but LGA funding is enabling the project to include local authority housing also. The successful bidders are Parity Projects and the research finding will be available at the end of this financial year.
17. The EEHT Board is refreshing its Green Finance Guide for councils. The guide will provide advice on the approaches and opportunities for funding climate change work. It will include details on the UK Infrastructure Bank which has now launched, and has engaged with the EEHT Board.

Adaptation

18. On 23 February 2022 the LGA ran a webinar with Defra and Local Partnerships on climate change adaptation policy. The focus was on governments approach to the preparation of NAP3 and the tools that Local Partnerships have developed to support councils adapting to the impacts of Climate Change. Approximately 100 delegates attended the 90 minute event and [slides](#) are available

Update on the economy

19. The UK economy was facing economic pressures in the months before the Russian invasion of Ukraine, but the war is now a major influence on the future economic outlook. The economy is facing a high rate of inflation and relatively low economic growth. The impact on communities will be severe. Record increases in global gas prices has led OFGEM to raise the energy price cap by 54% from 1 April 2022. The

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price cap will be reviewed again in October 2022 and could rise again. Food prices are also expected to rise as the war in Ukraine affects grain harvests and the cost of fertilisers.

Prices

20. In addition, supply in the economy has been affected by both lower levels of investment and a lack of growth in the workforce. As the economy has recovered this has led to capacity issues that have impacted on the price level. The opening up of economies around the world has also led to increased demand for fossil fuels which has driven up wholesale and domestic prices.
21. In its February 2022 [outlook](#), the Bank of England Monetary Policy Committee was projecting inflation to peak at 7 ¼% in April 2022. However, [forecasters](#) are now expecting inflation to peak at 8% and at a much higher rate for lower income families that spend a higher proportion of their income on energy, fuel and food. [Real pay](#) has fallen by around 4% over the last year for households in the lowest 10% of the income distribution.
22. According to the [IFS](#), inflation will wipe out at least a quarter of the real terms increase in public spending announced in the Autumn statement.
23. There is an [expectation](#) that the Bank of England will raise interest rates to the pre-pandemic level of 0.75% when the MPC meets on Thursday 17 March.

Employment

24. In a recent [speech](#), Michael Saunders¹ noted that the workforce has fallen by over 1% since Q4 2019 and is about 2¾% (0.9-1.0 million people) below the pre-pandemic trend, because of the outflow of foreign workers and lower participation among those in the UK – especially the over 50s. This is the first significant drop in the UK workforce for around 30 years. The number of vacancies in the [ONS vacancy survey](#) remains at record levels. Data for February 2022 indicate that vacancies are 24% above the February 2019 level.
25. The [Labour Force Survey unemployment rate](#) fell to 4.1% in the three months to November, and is expected to fall further in the near term, to 3.8% in 2022 Q1.

Growth

26. GDP grew by 1.1% in the three months to January 2022 and is now 0.8% above its February 2020 pre-COVID-19 level. Services, particularly human health and social care activities, have been the main contributor to growth in the period from February 2020 and January 2022. The [Bank of England](#) notes that economic growth will be modest in the coming few months as pressure on household incomes weighs on consumer spending, and supply shortages continue to constrain output.

¹ Michael Saunders is an external member of the MPC

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Government action

27. On 3rd February the Government announced the introduction of a £200 discount on fuel bills, to be funded by repayable government loans to householders, and a £150 council tax rebate, in response to the raising of the energy price cap. The Government is also providing £144 million to provide support for people on low incomes who do not pay council tax. These measures predate the war in Ukraine and there are calls for the Chancellor to do more in the Spring Statement which we expect to be on 23 March 2022. Calls have come for the Government to both increase benefits and delay, or abandon, the 1.25% rise in National Insurance which is due to take effect in April 2022. [The National Insurance increase](#) along with changes to rates of dividend tax is intended to raise around £13 billion per year for spending on health and social care across the UK. £5.4 billion of this additional income will fund a cap on social care costs. The LGA is writing to the Chancellor setting out its asks of the spring statement. This letter will be circulated to Members.
28. The Government has also [announced](#) that 150 new temporary jobcentres and over 150 Youth Hubs are to be opened, and it has pledged to get 500,000 people a job by the end of June. In its response to this announcement the LGA said that 'councils are ideally placed to help achieve this, bringing together government, agencies and providers alongside their local leadership and expert knowledge of their areas'.

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

Title: Environment, Economy, Housing & Transport Board
Date: Thursday 3 February 2022
Venue: Hybrid / Beecham Room, 7th Floor, 18 Smith Square, London, SW1P 3HZ

Attendance

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

Item	Decisions and actions	Action
1	Declarations of Interest The Chairman welcomed and introduced members to the Environment, Economy, Housing & Transport Board meeting. No declarations of interest were made.	
2	Office of Environmental Protection Draft Strategy The Chairman introduced Dame Glenys Stacey, the Chair of the Office for Environmental Protection (OEP), and Natalie Prosser, the Interim Chief Executive of the OEP who gave a presentation of the work of the OEP, outlining its powers and the aims of the draft strategy and enforcement policy. Following discussions, Members made the following comments: <ul style="list-style-type: none">• Members commented that environmental targets can be missed due to lack of resources and the protection of the environment being less of a priority as a result.• Members expressed concerns that some powers and functions were not best placed to ensure environmental protection.• It was suggested that a regional environmental panel be established as a place for representatives from different authorities to raise any concerns.• Members queried if local authorities were always most suitable to address complaints given there were other authorities, such as water companies, that can have an environmental impact.• It was queried what the OEP's relationship was with the Environment Agency.	

In response to Members, Dame Glenys Stacey and Natalie Prosser made the following comments:

- Should there be recurring reports of resource concerns from local authorities unable to meet environment targets, the OEP would bring the issue to parliament.
- As part of the scrutinising of environmental law, the OEP were checking for “gaps” in powers and had previously been made aware of concerns around the Waste Carriers Licence system.
- As part of 25 YEP, governance had been explored and consideration would be given to introduce a regional panel for representation at a local level.
- The OEP holds all public authorities to account which included water companies as well as local authorities.
- The Environment Agency was a big public authority the OEP oversees and has the statutory power to request information from.
- It was clarified that the OEP was filling a governance gap of holding government to account. They hold public authorities to account as a requirement of the Environment Act.

The Chairman introduced Andrew Richmond, Adviser, who advised that the LGA would be responding to the OEP’s Draft Strategy and Enforcement Policy. Comments from Members would be incorporated into the response.

The Chairman thanked Dame Glenys Stacey and Natalie Prosser for their presentation.

Decision:

The Environment, Economy, Housing and Transport Board noted the update.

3 Neutrality and Water Issues

The Chairman introduced Cllr David Hitchiner, the Leader of Herefordshire Council, and Paul Walker, the Chief Executive of Herefordshire Council who gave a [presentation](#) outlining the impact and response to phosphate pollution in the River Lugg and River Wye catchment. Water pollution had been impacting housing delivery and the local economy.

Following the presentation, Members made the following comments:

- Representatives from Cornwall, West Sussex, and Horsham echoed the concerns raised from the presentation and outlined their own local concerns with water pollution and water extraction, and the impact on housing delivery.
- Members expressed concerns that there was a lack of guidance from government on how to address the issue.
- It was suggested that LGA officers feed into Ofwat’s forward plan to help bring forward investment in infrastructure needed to reduce nutrient pollution from wastewater.
- Members commented that both nature-based solutions and long-term solutions such as changes to agricultural practices and water treatment infrastructure should be implemented.
- It was suggested that the LGA put together a commission to work with relevant bodies in water neutrality
- It was noted that there was a taskforce which included DEFRA,

Natural England, Environmental Agency and DLUHC but seemed to not include any local government representation. Members expressed that they would like the opportunity to be part of taskforces such as this to voice concerns and to help determine solutions.

The Chairman introduced Hilary Tanner, Adviser, who informed Members that it was anticipated that more councils would be impacted by this problem as it remains under review by Natural England, and as climate change will continue to have an impact on fragile natural environments.

The Chairman thanked the Cllr David Hitchiner and Paul Walker for their presentation and others in attendance for the discussion.

Actions:

- Officers to consider comments and feedback from Members on the report
- Officers to take forward plans to have the LGA sitting on relevant working groups and consider starting a commission to work with other relevant bodies

Decision:

The Environment, Economy, Housing & Transport Board noted the issues raised in the report and provided feedback on next steps.

4 Building Safety Update

The Chairman invited Charles Loft, Senior Adviser to give an update on developments in building safety work including the progress on the Building Risk Review and the recent statement made by the Secretary of State.

Following the discussion, Members made the following comments:

- Members expressed concerns that local authorities, by law, are not able to differentiate from developers who deliver good service compared to those who do not when determining whether to give planning permission.
- Members commented that the Housing Revenue Accounts (HRA) were under a lot of pressure following enforced rent reduction, lack of investment in stock, and existing fire safety work to carry out on top of work on cladding.
- Concern was raised at the lack of funding to councils for remediation

In response, Charles Loft made the following comments:

- DLUHC were trying to understand the full implications if social landlords were required to cover costs. There were concerns that it could have implications for councils' provision of housing in the future. Some work would be done to study the effect on social landlords and the LGA would support this.
- The LGA would be pushing for DLUHC to require developers to contribute towards costs councils have covered as well as the fund

they are required to pay into

The Chairman thanked Charles Loft for his update.

Actions:

- Officers to circulate information on the building safety leadership essential to the board

Decision:

The Environment, Economy, Housing & Transport Board noted the paper.

5 Other Board Business

The Chairman introduced the report which provided updates on a range of issues within the remit of the Board.

Members made the following comments:

- It was noted that the LGA had written to the Secretary of State for Transport and the Chancellor to highlight the potential threats to local bus services. Members expressed concerns that the Bus Recovery Grant was due to end in March 2022 and would impact vulnerable people. It was suggested that the Secretary of State for Levelling Up, Housing and Communities also be contacted on this matter.
- It was noted that at COP26, it was ensured that the importance of councils in tackling climate change was recognised in the final wording of the Glasgow Climate Pact.

Actions:

- Officers to write to Secretary of State for Levelling Up, Housing and Communities on bus services and call to continue the Bus Recovery Fund.
- Officers to circulate the final wording of the Glasgow Climate Pact to Board members.

Decision:

The Environment, Economy, Housing & Transport Board noted the update.

6 CONFIDENTIAL Minutes of the previous meeting

The Minutes of the meeting held on 18 November 2021 were agreed as an accurate record.

Appendix A - Attendance

Position/Role	Councillor	Authority
Chairman	Cllr David Renard	Swindon Borough Council
Vice-Chairman	Cllr Darren Rodwell	Barking and Dagenham London Borough Council
Deputy-chairman	Cllr Pippa Heylings Cllr Loic Rich	South Cambridgeshire District Council Cornwall Council
Members	Cllr Kelham Cooke Cllr Mark Crane Cllr Daniel Humphreys Cllr Paul Marshall Cllr Patrick Nicholson Cllr Linda Taylor Cllr Martin Gannon Mayor Philip Glanville Cllr Ed Turner Cllr Claire Holland Cllr Cathy Mitchell Cllr Emily Darlington Cllr Vikki Slade Cllr David Beaman	South Kesteven District Council Selby District Council Worthing Borough Council West Sussex County Council Plymouth City Council Cornwall Council Gateshead Council Hackney London Borough Council Oxford City Council Lambeth London Borough Council Warrington Borough Council Milton Keynes Council Bournemouth, Christchurch and Poole Council Waverley Borough Council
In Attendance	Cllr Diana Moore Cllr Phil Jordan Dame Glenys Stacey Natalie Prosser Cllr David Hitchiner Paul Waler Rachael Joy Catherine Howe Matt Bates Sallie Lappage	Exeter City Council Isle of Wight Council Chairman, Office for Environmental Protection Chief Executive, Officer for Environmental Protection Leader of Herefordshire Council Chief Executive, Herefordshire Council Interim Delivery Director, Herefordshire Council Horsham District Council Horsham District Council Crawley Borough Council
LGA Officers	Calum Davidson Charlie Fudge Eamon Lally Charles Loft Ben Murray David Pealing Emilia Peters Nick Porter Andrew Richmond Hilary Tanner	

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