



Environment, Economy, Housing & Transport Board

Agenda

Thursday, 22 June 2023
11.00 am

Hybrid – Eaton-Cockell Room, 18 Smith Square, London, or online via Teams

There will be a hybrid meeting of the Environment, Economy, Housing & Transport Board at **11.00 am on Thursday, 22 June 2023** at 18 Smith Square, London or online via Teams

LGA Hybrid Meetings

All of our meetings are available to join in person at [18 Smith Square](#) or remotely via videoconference as part of our hybrid approach. We will ask you to confirm in advance if you will be joining each meeting in person or remotely so we can plan accordingly, if you wish to attend the meeting in person, please also remember to confirm whether you have any dietary/accessibility requirements. 18 Smith Square is a Covid-19 secure venue and measures are in place to keep you safe when you attend a meeting or visit the building in person.

[Please see guidance for Members and Visitors to 18 Smith Square here](#)

Catering and Refreshments:

If the meeting is scheduled to take place at lunchtime, a sandwich lunch will be available.

Political Group meetings and pre-meetings for Lead Members:

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 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
07776680346 / emilia.peters@local.gov.uk

Carers' Allowance

As part of the LGA Members' Allowances Scheme a Carer's Allowance of £9.00 per hour or £10.55 if receiving London living wage 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

[Click here for accessible information on membership](#)

Councillor	Authority
Conservative	
Cllr Linda Taylor (Chair)	Cornwall Council
Cllr Kelham Cooke	Lincolnshire County Council
Cllr Mark Crane	North Yorkshire Council
Cllr Paul Marshall	West Sussex County Council
Cllr Carl Les	North Yorkshire County Council
Substitutes	
Cllr Tony Ball	Essex County Council
Cllr Graham Burgess	Gosport Borough Council
Cllr Imogen Payter	Havant Borough Council
Labour	
Cllr Darren Rodwell (Vice-Chair)	Barking and Dagenham London Borough Council
Cllr Martin Gannon	Gateshead Council
Mayor Philip Glanville	Hackney London Borough Council
Mayor Paul Dennett	Salford City Council
Cllr Claire Holland	Lambeth London Borough Council
Cllr Philip Bialyk	Exeter City Council
Cllr Emily Darlington	Milton Keynes Council
Substitutes	
Cllr Anthony Okereke	Royal Borough of Greenwich
Cllr Sharon Thompson	Birmingham City Council
Cllr Thomas Renhard	Bristol City Council
Liberal Democrat	
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	
Cllr Loic Rich (Deputy Chair)	Cornwall Council
Cllr Diana Moore	Exeter City Council
Substitutes	
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

Thursday, 22 June 2023

11.00 am

18 Smith Square, London, SW1P 3HZ

Item	Page
1. Welcome, Apologies and Substitutes, Declarations of Interest	
2. Renters Reform	1 - 24
Stephanie Kvam, Deputy Director (Private Rented Sector Standards, Enforcement and Financial Protection) at DLUHC to attend	
3. Transport Decarbonisation	25 - 30
Professor Greg Marsden, Institute for Transport Studies at the University of Leeds, to attend.	
4. Building Safety Update	31 - 38
5. End of Year Report - 2022/23	39 - 52
6. EEHT Updates / Any other board business	53 - 62
7. Minutes of the previous meeting on 21 March 2023	63 - 68
CONFIDENTIAL ITEMS	Page
8. Replacing the Vagrancy Act	69 - 76

Date of Next Meeting: Thursday, 28 September 2023, 11.00 am, Hybrid Meeting - 18 Smith Square and Online

Renters' Reform

Purpose of Report

For direction.

Is this report confidential? No

Summary

Stephanie Kvam, Deputy Director (Private Rented Sector Standards, Enforcement and Financial Protection) at the Department for Levelling Up, Housing and Communities will be attending the Board to provide an update on the Department's work relating to Renters' Reform.

This report provides a brief update on the Government's rental reform agenda. It also sets out the LGA's position on the Government's proposals and members may want to pick these up in their discussion with Stephanie.

LGA Plan Theme: Championing climate change and local environments

Recommendations

That the Board

1. Provides any feedback on the Government's rental reform agenda.
2. Provides any feedback on the LGA's position on the government's proposals.

Contact details

Contact officer: Jo Allchurch

Position: Senior Adviser

Phone no: 07883 902591

Email: jo.allchurch@local.gov.uk

Renters' Reform

Background

1. In June 2022, the Department for Levelling Up, Housing and Communities (DLUHC) published a white paper '[A fairer private rented sector](#)' which set out its plans to reform the private rented sector (PRS) and level up housing quality across the country.
2. In September 2022, DLUHC published a [consultation](#) on introducing a Decent Homes Standard in the private rented sector. The LGA [responded](#) to the consultation. Our response broadly welcomed the introduction of the standard, but stressed that councils need to be provided with adequate and upfront new burdens funding to regulate the standard. We have also made clear that to mitigate the risk of landlords exiting the PRS or passing the costs of meeting the DHS to tenants, an extended implementation timeframe would be appropriate.
3. The LGA also gave [written and oral evidence](#) to the Levelling Up, Housing and Communities Committee 'Reforming the Private Rented Sector' inquiry in late 2022.
4. In May 2023, the [Renters \(Reform\) Bill](#) was published which will legislate for reforms set out in the white paper. The LGA will be working with councils, parliamentarians and other stakeholders on the detail of the Bill as it progresses through parliament.
5. This report summarises the proposals of most relevance and significance to local government. It also provides the LGA's key messages along with our more detailed policy response (see Renters' Reform Bill Second Reading briefing - **Appendix A**), which may necessarily evolve as discussions on the proposals continue.
6. The Renters (Reform) Bill will:
 - 6.1. [Abolish](#) section 21 'no fault' evictions and move to a simpler tenancy structure where all assured tenancies are periodic. The intention is for this to provide more security for tenants and empower them to challenge poor practice and unfair rent increases without fear of eviction.
 - 6.2. Introduce more comprehensive possession grounds so landlords can still recover their property (including where they wish to sell their property or move in close family) and to make it easier to repossess properties where

tenants are at fault, for example in cases of anti-social behaviour and repeat rent arrears.

- 6.3. Provide stronger protections against backdoor eviction by ensuring tenants are able to appeal rents that are excessively above-market. As now, landlords will still be able to increase rents to market price for their properties and an independent tribunal will make a judgement on this, if needed. The tribunal will continue to be able to determine the actual market rent of a property
- 6.4. [Introduce](#) a new Private Rented Sector Ombudsman which will provide impartial, and binding resolution to many issues.
- 6.5. [Create](#) a Privately Rented Property Portal to help landlords understand their legal obligations and demonstrate compliance, alongside providing better information to tenants to make informed decisions when entering into a tenancy agreement. It will also support local councils – helping them target enforcement activity where it is needed most.
- 6.6. [Give](#) tenants the right to request a pet in the property, which the landlord must consider and cannot unreasonably refuse. To support this, landlords will be able to require pet insurance to cover any damage to their property.
7. The private rented sector white paper also committed to further reforms to support both landlords and tenants. The Government has confirmed they remain fully committed to implementing these reforms and will bring forward legislation at the earliest opportunity to:
 - 7.1. Apply the Decent Homes Standard to the private rented sector to give renters safer, better value homes and remove the blight of poor-quality homes in local communities. This will help deliver the Government’s Levelling Up mission to halve the number of non-decent rented homes by 2030. DLUHC launched a [consultation in September 2022](#) to ensure the Decent Homes Standard is applied and enforced appropriately and fairly in the private rented sector. DLUHC have confirmed they will soon respond and set out the next steps.
 - 7.2. Make it illegal for landlords and agents to have blanket bans on renting to tenants in receipt of benefits or with children – ensuring no family is unjustly discriminated against when looking for a place to live.

7.3. Strengthen local councils' enforcement powers and introduce a new requirement for councils to report on enforcement activity – to help target criminal landlords.

8. LGA key messages

8.1. The LGA broadly welcomes the Renters' Reform Bill which will help to deliver a fairer, more secure, and higher quality private rented sector (PRS).

8.2. The Bill however does place significant new regulatory and enforcement responsibilities on councils. We welcome the provisions in the Bill that enable local authorities to keep the proceeds of financial penalties to reinvest in enforcement activity. While this funding will be helpful, it is unlikely to be sufficient to cover the full costs of new duties in the Bill or the cost of undertaking proactive work to drive up standards for tenants. It is vital that DLUHC conducts a realistic assessment of the resources councils need to regulate the PRS effectively, and provides them with adequate new burdens funding accordingly.

8.3. Effective enforcement relies on having the right number of trained and qualified staff, which councils are already facing significant challenges in recruiting. We want DLUHC to urgently work with sector experts to develop a skills and capacity building strategy to tackle current workforce challenges ensure that local authorities can support effective implementation of the reforms.

8.4. We welcome the Bill's introduction of a database for landlords and residential properties, which will form the basis of the future 'property portal.' All landlords will be required to be registered on the portal to market or let a property, and the database will record when landlords are subject to banning orders and other relevant civil penalties and offences. This will not only allow tenants to view critical information before letting a property, but will improve data on the PRS, allowing local authorities to target enforcement activity more effectively. It is critical therefore that Government commits the resources, both financial and non-financial, to the Property Portal to ensure its longevity.

8.5. Rents in the PRS are at a record high. We support the proposals which seek to prevent above market rent increases including limiting rent increases to once a year and giving tenants the ability to challenge excessive rent increases through an independent tribunal. We would welcome clarity on whether the tribunal will be able to propose a higher rent increase than initially proposed by the landlord. This would inherently discourage use of this

process and undermine the tribunal's purpose of providing tenants with stronger protections against excessive rent hikes. It is therefore vital that the tribunal can only confirm or reduce a proposed rent increase – but not propose further increases.

- 8.6. The Bill will do nothing to support private renters who are already struggling to afford their rent alongside other cost of living pressures. The LGA continues to call on the Government to tackle the drivers of high housing costs by empowering councils to boost housing supply and build 100,000 high-quality, sustainable social homes a year. It is also vital that Government re-aligns Local Housing Allowance with at least the 30th percentile of local property values in the PRS, to ensure low-income households can afford homes in the PRS are not pushed into poverty or homelessness.
- 8.7. Following the end of Section 21, the Bill creates new grounds for possession. We recognise that there must be mechanisms in place to give landlords the flexibility to recover their property when needed. However, Government must introduce statutory guidance that places a requirement on landlords to provide robust evidence they are selling the property, moving in themselves or moving in a family member to ensure these grounds are not used erroneously. We also support extending the three-month ban on landlords reletting/remarketing their property to six months, to act as a sufficient deterrent from these grounds being misused.
- 8.8. Enforcing several aspects of the Bill, including the landlord register and the grounds for eviction, rely heavily on tenants understanding the legislation and being able to identify and report non-compliance. In addition to the ability to issue fines, local housing authorities and tenants should also be able to seek rent repayment orders (RROs) from landlords that do not comply with the landlord register, property portal, or mis-use grounds for eviction. RROs would act as an additional deterrent for non-compliance. Crucially, they would also incentivise tenants to engage with the property portal and check whether their landlord and property are registered, and check whether their former landlord has mis-used grounds for eviction.
- 8.9. Councils will be able to impose financial penalties up to £5000 where a landlord has misused the grounds for possession to evict a tenant. We fully welcome the ability for local authorities to issue appropriate financial penalties to hold landlords to account. To act as an effective deterrent, the maximum financial penalty that local housing authorities can issue to landlords for breaches to the legislation should be increased from £5000 to £30,000 (with a minimum limit of £500). This is in line with other financial

penalties that can be issued by enforcement authorities against landlords who breach legislation, for example the [Leasehold Reform \(Ground Rent\) Act 2022](#).

- 8.10. It will be vital for landlords and tenants to be aware of the changes under the new legislation, particularly given that the success of many of the reforms relies on tenants being informed of the regulations and their rights. The Government should launch a national, well-resourced information campaign ahead of implementation, targeted to residential landlords and tenants in the PRS.
- 8.11. Selective licensing schemes will continue to be an important tool for councils to manage and improve PRS properties in their areas. Local areas should have full flexibility to employ selective licensing schemes to meet local need. As such, we are calling on Government to amend the Housing Act 2004 to remove the requirement for councils to seek approval for larger selective licensing schemes.

Proposal

9. That the Board:

- 9.1. Provides any feedback on the Government's rental reform agenda.
- 9.2. Provides any feedback on the LGA's position on the Government's proposals.

Implications for Wales

10. The Bill extends to England and Wales.

Financial Implications

11. The Bill places significant new regulatory and enforcement responsibilities on councils, including maintaining the landlord register and ensuring compliance with the landlord register, property portal and grounds for possession. We welcome the provisions in the Bill that enable local authorities to keep the proceeds of financial penalties to reinvest in enforcement activity. While this funding will be helpful, it is unlikely to be sufficient to cover the full costs of new duties in the Bill or the cost of undertaking proactive work to drive up standards for tenants.
12. Many councils are already struggling to resource their enforcement teams to undertake the scale of proactive work that is needed in the PRS due to reductions in local government funding and wider financial pressures.

13. For the reforms in the Bill to be effective, it is vital that Department of Levelling Up Communities and Housing (DLUCH) conducts a realistic assessment of the resources councils need to regulate the PRS effectively, and provides them with adequate new burdens funding accordingly.

Equalities implications

14. The Renters Reform Bill has committed to making blanket bans against people who receive benefits directly illegal. [Several legal cases](#) have already set a precedent that blanket bans are discriminatory, and therefore illegal, as they have a disproportionate impact on certain protected groups, for example women and disabled people. Making blanket bans directly illegal will mean that it will no longer be necessary to belong to a [protected group](#) in order to challenge discrimination.
15. There is an opportunity for the Bill to go further to address other strategies that landlords and agents employ on a more informal basis to make it more difficult for low-income households to secure accommodation. This includes asking for multiple months' rent in advance and requesting that the tenant appoints a guarantor to accept responsibility for any missed rental payments.
16. There are also a range of benefits that can be expected from bringing in a [Decent Homes Standard](#) to the private rented sector. Evidence suggests that tenure has a differential impact on wellbeing and that people living in social and privately rented housing have poorer wellbeing than homeowners. This is partly due to quality being worse, and that conditions such as excess cold and overcrowding can affect physical health and mental wellbeing throughout life. These issues can have a disproportionate impact on certain protected groups.

Next steps

17. Officers to integrate feedback from the Board into future lobbying on the reforms.

Appendix A

Renters' Reform Bill, Second Reading, House of Commons

DATE TBC

KEY MESSAGES

- The LGA welcomes the long-awaited Renters' Reform Bill which will help to deliver a fairer, more secure, and higher quality private rented sector (PRS). The Bill introduces a range of reforms to achieve this, including abolishing unfair Section 21 "no fault" evictions; ending the system of assured shorthold tenancies; creating a new register of PRS landlords and property portal to improve data on the PRS and drive up standards across the sector; and establishing an Ombudsman for the PRS to help tenants and landlords to resolve disputes.
- The Bill places significant new regulatory and enforcement responsibilities on councils, including maintaining the landlord register and ensuring compliance with the landlord register, property portal and grounds for possession. We welcome the provisions in the Bill that enable local authorities to keep the proceeds of financial penalties to reinvest in enforcement activity. While this funding will be helpful, it is unlikely to be sufficient to cover the full costs of new duties in the Bill or the cost of undertaking proactive work to drive up standards for tenants. Many councils are already struggling to resource their enforcement teams to undertake the scale of proactive work that is needed in the PRS due to reductions in local government funding and wider financial pressures. For the reforms in the Bill to be effective, it is vital that Department of Levelling Up Communities and Housing (DLUHC) conducts a realistic assessment of the resources councils need to regulate the PRS effectively, and provides them with adequate new burdens funding.
- Effective enforcement relies on having the right number of trained and qualified staff, which councils are already facing significant challenges in recruiting. DLUHC should urgently work with sector experts to develop a skills and capacity building strategy to tackle current workforce challenges ensure that local authorities can support effective implementation of the reforms.
- We welcome the Bill's introduction of a database for landlords and residential properties, which will form the basis of the future 'property portal.' All landlords will be required to be registered on the portal to market or let a property, and the database will record when landlords are subject to banning orders and other relevant civil penalties and offences. This will not only allow tenants to view critical information before letting a property, but will improve data on the PRS, allowing local authorities to more effectively target enforcement activity. It is critical therefore that Government commits the resources, both financial and non-financial, to the Property Portal to ensure its longevity.
- Rents in the PRS are at a record high. We support the proposals which seek to prevent above market rent increases including limiting rent increases to once a year and giving tenants the ability to challenge excessive rent increases through an independent tribunal. We would welcome clarity on whether the tribunal will be able to propose a higher rent increase than initially proposed by the landlord. This would inherently discourage use of this process and undermine the tribunal's purpose of providing tenants with stronger protections against excessive rent hikes. It is therefore vital that the tribunal can only confirm or reduce a proposed rent increase – but not propose further increases.

Appendix A

- The Bill will do nothing to support private renters who are already struggling to afford their rent alongside other cost of living pressures. The LGA continues to call on the Government to tackle the drivers of high housing costs by empowering councils to boost housing supply and build 100,000 high-quality, sustainable social homes a year. It is also vital that Government re-aligns Local Housing Allowance with at least the 30th percentile of local property values in the PRS, so low-income households can afford homes in the PRS and are not pushed into poverty or homelessness.
- The Bill creates reforms existing grounds for possession and creates new grounds. We recognise that there must be mechanisms in place to give landlords the flexibility to recover their property when needed. However, Government must introduce statutory guidance that places a requirement on landlords to provide robust evidence they are selling the property, moving in themselves or moving in a family member to ensure these grounds are not used erroneously. We support extending the three-month ban on landlords reletting/remarketing their property to six months, for this measure to act as a sufficient deterrent from these grounds being misused. We have concerns regarding the ambiguity of the Bill's definition of anti-social behaviour, and want to work with Government to revise the definition of anti-social behaviour on the face of the Bill to reduce the risk of this ground being open to abuse.
- Enforcement of several aspects of the Bill, including the landlord register and the grounds for eviction, rely heavily on tenants understanding the legislation and being able to identify and report non-compliance. We have particular concerns about local authorities' ability to effectively enforce compliance with the ban on landlords reletting or remarketing their property for 3 months, as this is wholly reliant on former tenants noticing that the property is back on the market after they have been evicted. In addition to the ability to issue fines, we therefore believe that local housing authorities and tenants should be able to seek rent repayment orders (RROs) from landlords that do not comply with the landlord register, property portal, or mis-use grounds for eviction. RROs would act as an additional deterrent for non-compliance. Crucially, they would also incentivise tenants to engage with the property portal and check whether their landlord and property are registered, and check whether their former landlord has mis-used grounds for eviction. RROs will be a crucial tool in supporting councils' enforcement work, reducing the burden on local authorities, and ensure these measures deliver improvements in the PRS.
- It will be vital for landlords and tenants to be aware of the changes under the new legislation, particularly given that the success of many of the reforms relies on tenants being aware of the regulations and their rights. The Government should launch a national, well-resourced information campaign ahead of implementation, targeted to residential landlords and tenants in the PRS.
- Councils will be able to impose financial penalties up to £5000 where a landlord has misused the grounds for possession to evict a tenant. To act as an effective deterrent, the maximum financial penalty that local housing authorities can issue to landlords for breaches to the legislation should be increased from £5000 to £30,000 (with a minimum limit of £500). This is in line with other financial penalties that can be issued by enforcement authorities against landlords who breach legislation, for example the [Leasehold Reform \(Ground Rent\) Act 2022](#).
- Selective licensing schemes will continue to be an important tool for councils to manage and improve PRS properties in their areas. Local areas should have full

Appendix A

flexibility to employ selective licensing schemes to meet local need. As such, we are calling on Government to amend the Housing Act 2004 to remove the requirement for councils to seek approval for larger selective licensing schemes.

Background

End of certain kinds of assured tenancy

Clauses 1 and 2

- The Bill will abolish fixed term tenancies and Section 21 evictions, which allow landlords to evict tenants without a reason.
- All tenants who would previously have had an assured tenancy or assured shorthold tenancy will move onto a single system of monthly, 'rolling' tenancies.

LGA view

- The [latest homelessness statistics](#) show that the number of households at risk of homelessness due to being served with a Section 21 notice increased by 168.4 percent compared to the same quarter in the previous year last year. These figures are higher than the last quarter of 2019, which indicates that the increase is more than just a rebound from the end of the eviction ban during the pandemic. The ending of a private rented tenancy was the most common reason for a household being owed a homelessness prevention duty (36.6 per cent).
- We support the end to Section 21 'no fault' evictions and the end to assured shorthold tenancies, which will help to give PRS tenants greater security in their homes and reduce the number of people facing homelessness due to abrupt evictions or a tenancy ending. Ending Section 21 will also help ensure tenants can report issues to their landlord and request repairs without fear of a retaliatory eviction.
- Because the current Section 21 is widely used due to it being a guaranteed and mandatory "no-fault" eviction, it is currently impossible to tell from the homelessness statistics why these tenancies are being ended. Therefore, the abolition of Section 21, will not only offer renters better security but it will also give councils and central government more accurate information on why tenancies are ending.

Changes to grounds for possession

Clauses 3 and 4

- The Bill introduces three new mandatory grounds possession, which will enable landlords to regain their properties.
- New ground 1 and 2 allow a landlord to regain possession if they or their family want to live in the property, or they wish to sell the property. The notice period for these grounds will be two months. Landlords will not be able to use them in the first six months of a tenancy, and they will be banned from reletting or remarketing their property within 3 months.
- The Bill also includes a new mandatory ground for eviction, in the case where a tenant has been in at least two months' rent arrears three times within the previous three years. The notice period for the rent arrears ground will be increased to four weeks from two weeks.

Appendix A

- The Bill will expand the existing discretionary ground to evict tenants who exhibit anti-social behaviour, to include behaviours “capable of causing” nuisance or annoyance. Currently, the landlord must demonstrate that a tenant’s behaviour is “likely to cause” a nuisance or annoyance. On this ground, landlords can begin eviction proceedings immediately.

LGA view

- We recognise that there must be mechanisms in place to give landlords the flexibility to recover their property when needed, including when they want to live in or sell the property. However, to prevent these grounds being misused, Government must publish statutory guidance that places a requirement on landlords to provide robust evidence they are selling the property, or that they or a family member are moving into the property.
- The three-month ban on landlords reletting/remarketing their property should be extended to six months. We believe that a six-month ban strikes the right balance to act as a sufficient deterrent to prevent these grounds being mis-used to evict tenants erroneously, while allowing for changes in landlords circumstances.
- We have concerns regarding the ambiguity of the Bill’s definition of anti-social behaviour. Including all behaviour that is ‘capable of causing’ nuisance or annoyance sets a low bar for what constitutes anti-social behaviour. We want to work with the Government to revise the definition of anti-social behaviour on the face of the Bill to reduce the risk of these grounds being open to abuse. Government should also deliver on their commitment to bring forward guidance outlining what constitutes anti-social behaviour.
- Social landlords should also have the same grounds for possession as private landlords. We continue to work with the Government on the practicalities of this section.

Rent increases

Clauses 5 and 6

- Landlords will be able to raise rents annually to market prices (i.e. what they could expect to receive if letting to a new tenant on the open market) and must provide two months’ notice of any change.
- Tenants will be able to challenge above-market rent increases through the First-tier Tribunal (property chamber).
- These clauses seek to prevent above market rent increases being used to force tenants to vacate a property.

LGA view

- We support the proposals that seek to regulate rent increases to once a year, increase the notice period for rent increases from one to two months, and enable tenants to challenge excessive rent increases through an independent Tribunal.
- Increasing the notice period for a rent increase from one to two months will give private rented sector tenants a longer period of time to plan for rent increases. On that basis, the 2-month notice period should also be extended to tenants living in relevant low-cost tenancies (as defined by the Bill), instead of the 1-month currently being proposed.
- It is critical that the process for tenants to challenge excessive rent increases through the independent tribunal are accessible and understood by all. The process must also be efficient and avoid unnecessary delays that may put the housing security and

Appendix A

- the wellbeing of the household at further risk.
- The Government's guidance states that 'to avoid fettering the freedom of the judiciary, the tribunal will continue to be able to determine the actual market rent of a property.' We would welcome clarity on whether this means the tribunal will be able to propose an even higher rent increase than initially proposed by the landlord. Determining the market rent of a property is not a simple task, hence why challenges go to through the Tribunal. It is unreasonable that the burden of accurately assessing the rent should fall to the tenant in order to have the confidence to seek a determination from the Tribunal.
 - If the Tribunal risks tenants having to pay even higher rents, it will inherently discourage the use of this process and undermine the tribunal's purpose of providing tenants with stronger protections against excessive rent hikes. It is therefore vital that the Tribunal can only confirm or reduce a proposed rent increase – but not increase it.
 - It will be important that tenants are aware of their rights under the new legislation relating to rent increases. This must be supported by a national, Government-led information campaign to make landlords and tenants aware of the new rules. Ensuring that landlords and tenants are aware will reduce the potential for non-compliance and in turn reduce the burden on the First-tier tribunal).
 - We would welcome further information on what assessment has been made by the government of the potential impact that these new clauses will have on the capacity of the First-tier Tribunal (property chamber) to make decisions across its whole portfolio in a timely manner. Where impacts have been identified, we would welcome clarity on what steps are being considered to mitigate against delays to decision-making.
 - The Bill will do nothing to support private renters who are already struggling to afford their rent alongside other cost of living pressures. We continue to call on the Government to tackle the drivers of high housing costs, by empowering councils to deliver a step change in council-house building and build 100,000 high-quality, sustainable social homes a year. It is also vital that Government re-aligns Local Housing Allowance with at least the 30th percentile of property value in the PRS, to ensure low-income households can cover the cost of actual rents and are not pushed into poverty or homelessness.
 - To improve support for vulnerable households in rent arrears, Government should urgently review the funding and use of Discretionary Housing Payment to ensure that councils can use it to restore financial stability and sustain tenancies as well as working with councils and housing providers to strengthen fair and effective debt management.

Renting with pets

Clauses 7 and 8

- The Bill requires landlords not to unreasonably withhold consent when a tenant in the PRS requests to have a pet in their home and enables tenants to challenge a landlords' decision through the Ombudsman.
- It will also amend the Tenant Fees Act 2019 so that landlords can require insurance to cover any damage caused by pets living in the property.
- This provision does not apply to tenancies of social housing.

LGA view

- These proposals are a welcome step which will help to improve the experience of renting and make it easier for tenants with pets to find accommodation in the PRS.

Appendix A

- It is important that the changes are fair for both parties. We therefore support the proposal to enable landlords to require the tenant to take out an insurance policy, to cover any potential damage to the property caused by a pet.
- Landlords will be required to consider all requests on a case-by-case basis. It is welcome that the government has committed to publish guidance for tenants and landlords, which should help guide decision-making and outline examples of reasonable and unreasonable requests. This guidance should also support tenants to challenge decisions where they think that their request has been unreasonably rejected.
- If a prospective tenant already possesses a pet, they would have to make this request before agreeing to a tenancy, which would mean a delay before signing. This may mean prospective tenants with pets are passed over in favour of other applicants. We are concerned that this policy will therefore only make a difference for renters looking to buy a pet, rather than those who already have pets and are looking for accommodation. This is a risk highlighted by other organisations including the [Joseph Rowntree Foundation](#).

Duties of landlords

Clauses 9 and 10

- The Bill mandates that landlords must provide a written statement of terms setting out basic information about the tenancy and both parties' responsibilities while retaining both parties' right to agree and adapt terms to meet their needs.
- This provision prohibits certain actions by a landlord or former landlord of an assured tenancy including misuse of possession grounds. It also prohibits a landlord from reletting or remarketing a property within three months of obtaining possession of the grounds of occupation or selling, personally or through a letting agent.
- This section does not apply to tenancies of social housing under which the landlord is a private registered provider of social housing.

LGA view

- Government must publish statutory guidance which places robust requirements on landlords to provide reasonable evidence they are selling the property, moving in themselves or moving in a family member.
- To ensure this policy achieves the government's intention, we support extending three-month ban on reletting/remarketing to six months. We believe that this strikes the right balance to disincentivise these grounds being mis-used to evict tenants, while allowing for changes in landlords circumstances.
- We have concerns about local authorities' ability to effectively enforce compliance with the ban on landlords reletting or remarketing their property for 3 months, as this is wholly reliant on former tenants noticing that the property is back on the market. In addition to the ability to issue fines, we believe that local housing authorities and tenants should be able to seek rent repayment orders (RROs) from landlords that mis-use the grounds for eviction. RROs would act as an important additional deterrent for non-compliance. Importantly, they would also incentivise tenants to engage with the property portal and check whether their landlord and property are registered, and check whether their former landlord has mis-used grounds for eviction. RROs will therefore be a vital tool in supporting local authorities to enforce this measure and ensure it works in practice.

Appendix A

- It is critical that any new burdens on local authorities in relation to enforcement of such a ban are met with adequate upfront funding and resources from the Government. [DLUHC's own research and consultation with councils on PRS enforcement](#) identified that the current capacity of enforcement teams was often not sufficient to proactively tackle poor standards and conditions.
- A redress scheme should be available for tenants who feel their landlord misused possession grounds, including cases where a landlord has relet or remarketed a property within three months of possession on the grounds of occupation or selling.

Landlords etc: financial penalties and offences

Clauses 11-12

- Clause 11 adds new provisions to the Housing Act 1988, to introduce financial penalties for landlords who breach the prohibitions in Clause 10, including those relating to the misuse of possession grounds and for not providing a written statement of terms as required by Clause 9.
- The clauses are intended to deter non-compliance and help local authorities proportionately target enforcement activity against landlords who disregard their obligations to tenants.
- Local housing authorities will be able to impose financial penalties up to £5000, where they are satisfied beyond reasonable doubt that a landlord or former landlord has contravened provisions contained in clauses 9 or 10.
- Alternatively, where a landlord or former landlord is found guilty of an offence through the courts they may be liable for a fine of up to £30,000 or prosecution.
- Clause 12 sets out the process a local housing authority needs to follow before imposing a financial penalty as well the appeals process for landlords. It provides that local housing authorities may use the proceeds of financial penalties to fund costs and expenses associated with carrying out enforcement activity in the PRS.

LGA view

- We fully support the intent behind these clauses, as it is important that local authorities can issue appropriate financial penalties to hold landlords to account. To enable councils to carry out these enforcement duties effectively, it is critical that any new burdens on local authorities are met with adequate upfront funding and resources from the Government.
- We welcome the provisions in the Bill that enable local authorities to keep the proceeds of financial penalties to reinvest in enforcement activity. While allowing councils to keep money from fines is helpful, this funding is unlikely to be sufficient to cover the full cost of undertaking proactive work in the PRS to prevent non-compliance and drive up standards for tenants. To support this work, councils will need sustainable revenue funding from Government, especially as it will be councils' intention to issue financial penalties or undertake criminal proceedings as a last resort.
- To act as an effective deterrent to landlords, the maximum financial penalty that local housing authorities can issue to landlords for breaches to the legislation should be increased from £5000 to £30,000 (with a minimum limit of £500). This is in line with other financial penalties that can be issued by enforcement authorities against landlords who breach legislation, for example the [Leasehold Reform \(Ground Rent\) Act 2022](#).
- Multiple inquiries and reviews, including the Public Accounts Committee's (PAC's) inquiry into the [Regulation of private renting](#) and [DLUHC's own research and](#)

Appendix A

[consultation with councils](#) identified that many local enforcement teams do not currently have the resources and capacity to proactively tackle poor standards and conditions in the PRS. As recommended by the PAC, it is vital that DLUCH conducts a realistic assessment of the resources councils need to regulate the PRS effectively. New burdens should then be allocated accordingly.

- Effective enforcement is reliant on having the right number of trained and qualified staff, which councils are facing significant challenges in recruiting. A recent LGA [workforce survey](#) showed that 45 percent of councils were having difficulties recruiting environmental health officers and 25 percent were having difficulties retaining housing officers.
- New regulatory responsibilities will exacerbate existing pressures in skills capacity and recruitment. We want DLUCH to urgently work with sector experts to develop a skills and capacity building strategy to ensure that local authorities can support effective implementation of the reforms. This also needs to take into account the cumulative impacts of new responsibilities/duties falling on councils relating to oversight and enforcement activity in the PRS in recent years.

Removal expenses

Clauses 14-16

- The Bill provides for private registered providers of social housing to pay tenants' removal expenses when they re-possess the property on the grounds of redevelopment or providing suitable alternative accommodation.

LGA view

- It is unclear why only private registered providers of social housing have to pay removal expenses. We would like to see a consistent approach to landlords, regardless of whether they are in the private or social rental sector.

Accommodation for homeless people: duties of local authority

Clause 18

- Currently, local authorities have a prevention duty (duty to help prevent people from becoming homeless) for every household that is served with a valid Section 21 eviction notice.
- Following the removal of Section 21, the Bill clarifies that local authorities must continue to consider that someone is threatened with homelessness if they will become homeless within 56 days. However, assessments for whether a local authority owes a household a prevention duty will now be based on the individual circumstances of each case.
- The Bill also removes the reapplication duty from the homelessness legislation. The reapplication duty currently applies when a household at risk of homelessness accepts an offer of private rented accommodation (thereby ending the local authorities' duty to help prevent them becoming homeless) becomes homeless again within two years. In this case, the local authority which offered the private rented accommodation owes the household the 'reapplication duty' and it is their responsibility to help secure accommodation for the applicant.
- The Bill will require all households who reapply for the prevention duty to be assessed for their eligibility for support based on their current circumstances, with no

Appendix A

distinction between those who accepted private sector or social housing offers to end their previous main duty.

- Given the abolishment of fixed term tenancies, the Bill will replace the requirement for local authorities to offer private rented accommodation for at least 12 months with a requirement to offer an assured tenancy.

LGA view

- Local authorities will always assist households facing homelessness. We are pleased to see that, in line with our [consultation response](#) on consequential changes to the homelessness legislation, that the Government has taken forward Option 1 from its [consultation](#). This will give local authorities discretion over when to accept a homelessness duty and decide if it can appropriately be discharged, in cases where they believe that an individual is not at risk of homelessness.
- Homelessness services are at the sharp end of the housing emergency and are facing unsustainable demand. An increasingly unaffordable private rented sector, combined with frozen Local Housing Allowance rates, a shortage of social housing, the rising cost-of-living and the impact of supporting new arrivals and refugees is creating the perfect storm for a homelessness crisis.
- While this change will help councils to prioritise their work more effectively in the face of current pressures, there is a risk it may lead to some areas focussing limited resources on emergency cases rather than preventive work to stop households becoming homeless in the first place. As a local connection is not required for a local authority to accept a prevention duty, councils are concerned that the change may also result in people seeking support via the prevention duty in areas which have more capacity to support a wider range of cases. This underlines the need for all councils to be adequately resourced, based on local need, to meet the demand for homelessness support within their own area. We would also welcome Government guidance to address this issue.
- To address current pressures, we continue to call for Government to take a cross-departmental approach to homelessness prevention, including adequate funding for councils' homelessness prevention work and national policy reform to address the drivers of homelessness. This must include re-aligning LHA rates with at least the 30th percentile of market rents in the PRS.

Penalties for unlawful eviction or harassment of occupier

Clause 22

- Clause 22 adds new provision to the Protection from Eviction Act 1977 to enable local housing authorities to issue financial penalties of up to £30,000 for an offence under section 1 of that Act. This will apply in cases where they are satisfied beyond reasonable doubt that the person has committed an offence.
- It also provides that a person cannot be convicted of an offence under section 1 for any conduct if a financial penalty has already been imposed under new section 1A in respect of that conduct.

LGA view

- We broadly welcome this new power for local housing authorities to issue financial penalties where they are satisfied beyond reasonable doubt that a landlord has committed an offence under section 1 of the Protection from Eviction Act 1977.A

Appendix A

local housing authority should also be able to impose a civil penalty and seek a rent repayment order in relation to offences under section 1 of the Protection from Eviction Act 1977. This would act as a strengthened deterrent from repeat offences and also dissuade others from committing similar offences. There is already a [precedent](#) for this in relation to a number of other offences under the Housing Act 2004, for example failure to comply with an Improvement Notice.

Landlord Redress Schemes

Clauses 24, 25, 26 and 27

- Clause 24 enables the government to approve or designate a redress scheme for private residential tenants, which will deliver on the Government's commitment to create a new Ombudsman for the private rented sector.
- Secondary legislation will be used to require prospective, current, and former residential landlords to register with the redress scheme (the PRS Ombudsman).
- Clause 26 provides for a local housing authority to impose a financial penalty on a landlord if satisfied beyond reasonable doubt that they have breached regulations under Clause 24 or committed an offence under Clause 27. These include when a landlord persistently or repeatedly fails to comply with the requirement to be a member the redress scheme or markets a property when they are not a member of the scheme.

LGA view

- We welcome the creation of an Ombudsman for the private rented sector. This will mean that private rented sectors tenants will have the same access to redress as those living in social housing and will ensure that tenants can hold landlords accountable for poor standards or non-compliance. The Ombudsman must have the appropriate set of powers to effectively and efficiently tackle poor-performing landlords and prevent reoccurrence of issues.
- The [Housing Ombudsman Service](#) for social housing has, in addition to undertaking dispute resolution, been a driver for improvement in the sector. The Ombudsman has provided a suite of tools and resources to promote best practice among both landlords and tenants. We would expect the PRS to also benefit from a similar improvement service.
- The current Ombudsman already serves some PRS landlords, who have joined voluntarily. Therefore, we consider that there is a strong case for an expanded role for the current Ombudsman, rather than the creation of a new Ombudsman for the PRS. This would provide a single, clear access route for redress for everyone living in a rented property, whether it be in the private or social rented sector.
- Regardless of whether the Government expands the current role of the existing Housing Ombudsman Service or sets up a separate Ombudsman for the PRS, it should provide the necessary resources to cover the anticipated work, which equates to [1.5 million landlords and 4.4 million households in the PRS](#).
- We broadly welcome the powers for local housing authorities to issue financial penalties as appropriate for non-compliance with the redress scheme/ Ombudsman.
- We also welcome the provisions in the Bill that allow local authorities to keep the proceeds of financial penalties to reinvest in enforcement activity. However, this must be combined with adequate revenue funding to cover the costs of proactive work to minimise non-compliance in the first place.

Clause 29

Appendix A

- This Clause allows for an approved redress scheme to be able to investigate complaints from tenants where their landlord fails to address their complaint appropriately or in a timely manner and, where appropriate, compel a landlord to take action to put things right or provide compensation.
- Where the complaint from a tenant concerns the breach of a regulatory threshold, local housing authorities may take enforcement action to bring the landlord or property into compliance with the regulations, and, using its discretion, to sanction landlords.
- In these circumstances, tenants will be able to complain to either the local housing authority or an approved redress scheme.
- The clause also allows for official guidance on how local authorities and any approved redress scheme will work together to resolve complaints where both parties have a jurisdictional interest.

LGA view

- We would like to work with the government to understand how this proposal, which will enable tenants to complain to either the local housing authority or an approved redress scheme on particular issues, will work.
- There is a risk that having two separate routes of redress will add unnecessary complexity and confusion to the system, as well as potential duplication of activity.
- Clear, unambiguous guidance and close collaboration between the redress scheme and local authorities will be critical to ensure that there is consistent approach to resolving issues for tenants as quickly and efficiently as possible.

Private Rented Sector Database

Clauses 32 – 51

- Clause 32 will establish a database of existing residential landlords, prospective residential landlords and dwellings which are, or intend to be, let under residential tenancies. This new database will provide the basis for the future Privately Rented Property Portal service.
- The database will also record when landlords are subject to banning orders, and landlords who have been convicted of other offences, financially penalised for other specified breaches or are subject to other regulatory action.
- Clauses 34 to 36 specify that landlords will have a period of 28 days after registering on the database to comply with regulatory requirements. Landlords will need to keep entries on the register up to date with key documentation, such as gas safety certificates for the entry to remain active.
- An entry may become 'inactive' and no longer publicly viewable if it expires without renewal, or if the property is no longer being let and the owner makes a request to deactivate it. Once an entry is inactive, the property cannot be marketed, advertised or let.
- Clause 37 requires local housing authorities to have a role in running the database, including authenticating, editing and removing incorrect entries, if the database cannot be automated.
- Clause 38 stipulates that landlords must pay a fee to register on the database. Landlords will also face late payment fees if they do not re-register within the specified timeframe. These fees will either be specified through regulations or set by the database operator, so they can be amended to reflect the costs of operating the database.

Appendix A

- Clause 39 provides that dwellings and the associated private landlords must be required to be registered on the database before they can be let, or before they are advertised for let. These restrictions will apply to landlords, letting agents and to anybody who advertises a dwelling as available to let.
- Clause 40 will require local housing authorities to enter all eligible offences and all civil penalties on the register, making offence data publicly viewable. This includes when a local authority has issued a landlord with a relevant banning order or a financial penalty in relation to a relevant banning order offence. Local housing authorities will also have the power to make entries on landlords who have received a conviction or financial penalty in relation to a relevant banning order offence when it imposed by person other than the local housing authority.
- Clause 47 will introduce penalties for landlords that breach the requirements of the database, including by providing knowingly or recklessly misleading information (Clause 48). These will be set by the authority imposing the penalties, but they must not exceed £5,000 or £30,000 respectively.

LGA View

- We welcome the introduction of a database for landlords and residential properties. We are pleased the Government recognise the important role of robust data which will better support councils to target and tackle non-compliant landlords.
- The forthcoming property portal will also create a more transparent system for tenants, by providing a 'single front door' to check important information about prospective properties and landlords.
- Given that the register and property portal will be a vital tool to support an effective enforcement regime for the PRS, it is critical therefore that Government commits the resources, both financial and non-financial, to the Property Portal to ensure its longevity.
- The LGA believes that local housing authorities and tenants should also be able to seek rent repayment orders (RROs) from landlords that do not comply with the requirements of the database or commit an offence related to the database. The introduction of RROs for non-compliance with the database would act as an additional deterrent for landlords committing repeat offences. Importantly, it would also incentivise tenants to engage with the property portal and check whether their landlord and property are registered and compliant. This would help to support local authorities' enforcement work against a minority of rogue landlords who may seek to evade compliance.
- There is a [precedent](#) for the use of RROs in relation to a wide-range of other offences under the Housing Act 2004, for example failure to comply with an Improvement Notice.
- There will be new pressures on local authorities following the introduction of the database including monitoring compliance with the duty to register; enforcing against those that are not registered; and reporting compliance. This will require sufficient, upfront new burdens funding.

Enforcement authorities

Clauses 58 and 59

- Clause 58 provides that enforcement of the prohibitions of the landlord legislation will be the duty of local housing authorities in England. A reference to a local housing authority taking enforcement actions relates to imposing a financial penalty or

Appendix A

- instituting proceedings against a person for an offence, under the landlord legislation.
- Clause 59 makes provision for the notification requirements on a local housing authority when it plans to take enforcement action in a different local housing authority's geographical area.

LGA view

- We would welcome further clarity on clause 58 which appears to confer a duty of enforcement on local housing authorities, which will make enforcement activity statutory.
- This clause is at odds with other clauses in the Bill relating to enforcement e.g. issuing of financial penalties, which is worded 'a local housing authority *may* impose' which signifies that enforcement activity is discretionary.
- It would be expected as good practice that a local housing authority would notify another local housing authority if they planned to take enforcement action in their area.

Lead enforcement authority

Clauses 60-62

- Clause 60 gives the Secretary of State the power to appoint a lead enforcement authority, or lead enforcement authorities, for the purposes of any provisions of the landlord legislation. The approach is similar to that taken in existing estate and letting agent legislation
- Clause 61 sets out the duties and powers of a lead enforcement authority. A lead enforcement authority's functions to issue guidance, information and advice to more than 300 local housing authorities will help local authorities enforce the measures in a consistent way.
- Clause 62 gives a lead enforcement authority the power to enforce the provisions for which it is responsible. A lead enforcement authority provides an opportunity to create a centre of expertise on the relevant legislation and can act as a backstop for enforcement

LGA view

- We support the principle of a lead enforcement authority to support councils in enforcing the new legislation. The use of a lead enforcement authority for this type of new responsibility can help to ensure that funding is appropriately targeted at the organisations enforcing specific areas of activity.
- Councils will require clear and timely guidance in order to enforce the new legislation effectively. This will help local authorities to bring about a consistency in enforcement across the country, ensuring that an appropriate balance is struck between the rights of tenants and landlords.
- Whilst the lead enforcement authority role is welcome, effective enforcement of regulations is reliant on an adequate number of qualified and trained staff.
- DLUHC should urgently work with sector experts to develop a skills and capacity building strategy to ensure that local authorities can support effective implementation of the reforms.

Government policy on supported and temporary accommodation

Clause 63

Appendix A

- Clause 63 requires the Secretary of State to publish a report on the new National Supported Housing standards (introduced in the Supported Housing (Regulatory Oversight Bill), which outlines how these will be developed, overseen and enforced.

LGA view

- Local Government shares the ambition of driving up standards in supported housing and temporary accommodation.
- We look forward to working with the Government to develop standards that are fit-for-purpose and deliver genuine improvement while recognising the increased pressure this may place on councils.
- Alongside this, Government must establish a locally-led and fully funded oversight and enforcement regime for exempt supported accommodation within a strengthened national regulatory framework to address growing issues in the sector. We support the introduction of the [Supported Housing \(Regulatory Oversight\) Bill](#), as a vital first step in achieving this.
- There should be a full consultation on the detail of the report, with full engagement with local government and other key stakeholder to ensure standards and proportionate and realistic.

Blanket bans on renting to families with children or those in receipt of benefits.

Not currently included in the Renters (Reform) Bill

- The [A Fairer Private Rented Sector white paper](#) committed to make it illegal for landlords and agents to have blanket bans on renting to families with children or those in receipt of benefits – to encourage landlords to make decisions about who to rent to, based on individuals' circumstances.
- The government is considering how to implement these policies and intends to bring forward legislation “at the earliest opportunity within this Parliament”.

LGA view

- [The NAO estimated](#) that 52 per cent of landlords were unwilling to let to those on housing benefit. In addition, 26 per cent of PRS households and families receive some form of Housing Benefit and are at risk from these kinds of restrictive practices. These practices are unacceptable, and it is often those that are in receipt of housing support that are most at risk of homelessness. We, therefore, welcome the proposal to outlaw the imposition of a blanket ban on letting to those in receipt of benefits and/or with children.
- For this new policy to be enforceable, identification of No DSS practices must be measurable and objective. Prospective tenants and the regulatory authorities must be able to point to evidence that refusal to consider has occurred. As an example, through advertisement or through refusal to allow the prospective tenant to view the property because they have children or are in receipt of benefits.
- The reforms do not include protections for other groups that have experienced blanket bans, such as [non-UK passport holders and prison leavers](#), and so the proposals would not deliver a fairer PRS for those cohorts.

Decent Homes Standard

Not currently included in the Renters (Reform) Bill

Appendix A

- The Government has [committed](#) to applying the Decent Homes Standard to the private rented sector to give renters safer, better value homes and remove the blight of poor-quality homes in local communities.

LGA view

- The LGA [responded](#) to the government's consultation to extend the Decent Homes Standard to the private rented sector. Our response broadly welcomed the introduction of the standard, but councils need to be provided with adequate and upfront new burdens funding to regulate the standard.
- We have also stressed that to mitigate the risk of landlords exiting the PRS or passing the costs of meeting the DHS to tenants, an extended implementation timeframe would be appropriate.

Selective licensing schemes

Not currently included in the Renters (Reform) Bill

- Landlord licensing [schemes](#) can have significant benefits for both landlords and tenants, and particularly in respect of enforcement. For example, where landlord licensing is in place, there is an obligation on the 'person in control' to identify themselves to the council in order to secure a license.
- Having this information allows councils to contact private landlords quickly and easily when necessary. It also makes it much easier to implement effective complaint mechanisms which put tenants at ease.
- However, local authorities lack the flexibility to take forward whole area or area-specific licensing schemes. From April 2015, councils have been required to secure Secretary of State approval for licensing schemes that cover more than 20 per cent of the area or 20 per cent of privately rented homes.
- The government should implement the [recommendation](#) of the Housing, Communities and Local Government Committee and remove this 20 per cent threshold.

Progress on the Government's Transport Decarbonisation Strategy

Purpose of Report

For information.

Is this report confidential? No

Summary

It is now nearly 2 years on since the Government published its Transport Decarbonisation Plan (TDP) in July 2021. This is an opportunity for the Board to assess national progress on the TDP, what that means for the trajectory of action required and implication for local authority action. Greg Marsden, Professor of Transport Governance, Institute for Transport Studies at the University of Leeds, will lead the discussion with a presentation on his assessment followed by discussion with the Board

LGA Plan Theme: Championing climate change and local environments

Recommendations

That the Board

- 1. Notes and discusses the issues raised in this paper and by Professor Marsden**
- 2. Provide a steer for further work to be overseen by the new board**

Contact details

Contact officer: Kamal Panchal

Position: Senior Adviser

Phone no: 0771 7572640

Email: kamal.panchal@local.gov.uk

Progress on the Government's Transport Decarbonisation Strategy

Proposal

1. It is now nearly 2 years on since the Government published its Transport Decarbonisation Plan (TDP) in July 2021. This is an opportunity for the Board to assess national progress on the TDP, what that means for the trajectory of action required and implications for local authority action.
2. Greg Marsden, Professor of Transport Governance, Institute for Transport Studies at the University of Leeds, will lead the discussion with a presentation on his assessment followed by discussion with the Board. Greg has previously presented to the Board on this issue and also led on producing a series of [policy briefs](#) on transport decarbonisation aimed at council and local leaders.

Background

3. The TDP sets out the Government's overall vision and strategy for how it intends to decarbonise the way we travel. The following are key commitments most relevant to councils:
 - We will deliver the Prime Minister's bold vision for cycling and walking investing £2 billion over five years with the aim that half of all journeys in towns and cities will be cycled or walked by 2030
 - We will ensure the UK's charging infrastructure network meets the demands of its users
 - We will deliver the National Bus Strategy's vision of a transformed bus industry and a green bus revolution
 - We will consult on modernising the Bus Service Operators' Grant in 2021
 - We will take forward measures to transform 'last mile' deliveries
 - We will drive decarbonisation and transport improvements at a local level by making quantifiable carbon reductions a fundamental part of local transport planning and funding
 - We will embed transport decarbonisation principles in spatial planning and across transport policymaking
 - We will publish guidance for local authorities on support for shared car ownership and shared occupancy schemes and services
 - We will use national e-scooter trials to understand their environmental impact, safety, and mode shift potential to evaluate whether they should be legalised

4. Recent new analysis, jointly undertaken by CREDS (Centre for Research into Energy Demand Solutions) and Decarbon8 Research Network (a collaborative network of the eight most research-intensive universities across the North of England, working together to find innovative, place-based solutions for decarbonising transport) reveals a lowering of ambition from the Department of Transport to reduce traffic demand and shift to lower carbon modes of travel. The analysis is captured in a report "[Reverse gear: The reality and implications of national transport emission reduction policies](#)", authored by Professor Marsden, published in May 2023.
5. This Board has undertaken extensive work, covering both lobbying and policy development and in support of councils on helping them achieve transport decarbonisation ambitions, and against the commitments from the TDP highlighted above. An illustration of the range of work is set out in the table below.

<p>We will deliver the Prime Minister’s bold vision for cycling and walking investing £2 billion over five years with the aim that half of all journeys in towns and cities will be cycled or walked by 2030</p>	<p>We have said that we share the Government’s ambition. The LGA has developed a close working relationship with Active Travel England, with both chairman (Chris Boardman) and CE (Danny Williams) presenting to the Board. Recently we expressed disappointment with the £200 million reduction in future funding to local authorities.</p>
<p>We will ensure the UK’s charging infrastructure network meets the demands of its users</p>	<p>We commissioned Local Partnerships to undertake a scoping exercise of the role of local government on EV infrastructure. This fed directly into the development of the Government’s EV Infrastructure strategy. Achieved a step change in revenue and capital resources, flexibility and expert support via the £450 million Local EV Infrastructure (LEVI)Fund. The LGA is on the working group of the LEVI Fund.</p>
<p>We will deliver the National Bus Strategy’s (NBS) vision of a transformed bus</p>	<p>We used LGA research to inform national bus policy. During the pandemic we worked with Government and councils to protect bus</p>

<p>industry and a green bus revolution.</p> <p>We will consult on modernising the Bus Service Operators' Grant (BSOG) in 2021</p>	<p>services and support recovery (see transport update). We have called for the Government to fully commit to NBS reforms, including BSOG reform, which is behind schedule, and fully fund the BSIP programme to the original £3 billion, not £1.1 billion which was the outcome. The LGA is on the advisory board of the new Bus Centre of Excellence</p>
<p>We will take forward measures to transform 'last mile' deliveries</p>	<p>We undertook research on "The future of last-mile deliveries: Understanding the local perspective". One of the main findings was the need to develop local authority capacity on this issue.</p>
<p>We will drive decarbonisation and transport improvements at a local level by making quantifiable carbon reductions a fundamental part of local transport planning (LTP) and funding</p>	<p>The Transport Act 2020 requires all local transport authorities to publish statutory plans. The Department for Transport has said it intends to refresh their guidance on LTPs and LGA officers have engaged with officials on their initial thinking. A consultation is now expected before the summer recess.</p>
<p>We will embed transport decarbonisation principles in spatial planning and across transport policymaking</p>	<p>The TDP says that we need to move away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (sometimes referred to as 'vision and validate'). In our recent response to the latest draft refreshed National Networks National Planning Statement we stated that the draft appears at odds with the TDP – seemingly reverting back to 'predict and provide'.</p>
<p>We will publish guidance for local authorities on support for shared car ownership</p>	<p>The LGA produced a practical guide on car sharing and car clubs.</p>

and shared occupancy schemes and services	
We will use national e-scooter trials to understand their environmental impact, safety, and mode shift potential to evaluate whether they should be legalised	The LGA produced a practical guide on shared micromobility, reflecting good practice and lessons learned from the trial areas. We have called for the Government to recommence work on the Transport Bill, which intended to provide a new regulatory framework for shared schemes as well as dealing with private scooters.

About Professor Greg Marsden

6. Greg is Professor of Transport Governance at the Institute for Transport Studies at the University of Leeds. He has researched issues surrounding the design and implementation of new policies for over 20 years covering a range of issues. He is an expert in climate and energy policy in the transport sector and is the Transport Decarbonisation Champion for [EPSRC](#). He is the Principal Investigator on the DecarboN8 network where he is responsible for integrating a new place-based approach to decarbonising transport. Greg co-chairs the [Commission on Travel Demand](#) which has published influential studies on travel demand and shared mobility. He is the Secretary General of the [World Conference on Transport Research Society](#) and the Chair of the Special Interest Group on Governance. He has served as an advisor to the House of Commons Transport Select Committee and regularly advises local, national and international governments.

Implications for Wales

7. It is noted that there are very different approaches to traffic reduction across the four nations. Wales has set the target of a 10% reduction in per capita car mileage travelled by 2030. Scotland is pursuing a 20% reduction in car mileage by 2030, Northern Ireland is pursuing a similar target. However, there is no such target in England.

Financial Implications

8. There are no financial implications

Equalities implications

9. There are no direct equalities implications from this report. However, promotion of individual transport modes will have some implications. For example, more lower income people depend on bus travel; EV purchases are currently dominated by those with higher income; solutions for EV charging needs to be found for the 30% of households who have no access to off-street parking.

Next steps

10. Irrespective of national policy, local authorities will continue to seek ways to reduce carbon emissions from local transport. This is driven from their desire to show leadership on this global issue, but also because of overlapping benefits of pursuing transport decarbonisation – e.g., reducing congestion, improving air quality, tackling cost-of-living and promoting sustainable and active travel.
11. LGA officers will continue to work with this and future boards in support of transport decarbonisation.

Building Safety Update

Purpose of Report

For information.

Is this report confidential? No

Summary

This Report updates members on the LGA's building safety-related work and relevant developments in the Building Safety and Fire Safety Acts.

LGA Plan Theme: Supporting local people and places

Recommendation

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

Contact details

Contact officer: Joseph Sloyan and Mark Norris

Position: Graduate Trainee and Principal Policy Adviser

Phone no: 02076643241 and 020 7664 3291

Email: mark.norris@local.gov.uk joseph.sloyan@local.gov.uk

Building Safety Update

Background

1. Since the Board's last meeting, the LGA has continued to monitor the implementation of the Fire Safety and Building Safety Acts, to plan related improvement work and continued to support remediation.

Remediation

General Position

2. [The Department for Levelling Up, Housing and Communities' \(DLUHC\) Building Safety Programme Monthly Data Release](#) delineates figures related to its Building Safety Programme, with particular focus on buildings with unsafe Aluminium Composite Material (ACM) cladding and remediation progress.
3. [The 30 April 2023 release](#) gives the following relevant figures:
 - At the end of March 2023, 95% (467) of all identified high-rise residential and publicly owned buildings in England had either completed or started remediation work to remove and replace unsafe ACM cladding, (99% of buildings identified on 31 December 2019, 98% of buildings identified on 31 December 2020 and 96% of buildings identified on 31 December 2021) – an increase of 3 from February 2023
 - 448 buildings (91% of all identified buildings) no longer have unsafe ACM cladding systems -an increase of 5 from February 2023
 - 100% (160) of social sector buildings have either completed or started remediation. Of these, 159 (99%) have had their ACM cladding removed
 - 92% (215) of private sector buildings have either completed or started remediation- an increase of one from February 2023. Of these, 201 (86%) have had their ACM cladding removed.

Building Safety Fund

4. On 28 July 2022, the government's £4.5 billion [Building Safety Fund](#) reopened for new applications and remains open. Buildings over 18m with cladding issues are eligible to apply for the fund with guidance for applicants available [here](#). More information for leaseholders about the Building Safety Fund and what it covers can be accessed [here](#). Leaseholders can check if they qualify for the cost

protections under the Building Safety Act using the government's new [Leaseholder Protections Checker](#) with [further guidance available](#).

5. As of 30 April 2023, the total value of approved social sector grant claims for the remediation of non-ACM cladding is £191m
6. Private sector funding allocation is £1,675m
7. This makes the total amount of allocated funding £1,866m across both sectors
8. As of 30 April 2023, the total value of BSF's expenditure across both sectors is £948m.

Waking Watch Replacement Fund

9. On 25 May 2023 the government reopened its [Waking Watch Replacement Fund](#) with expanded scope and funding.
10. The Fund has an additional £18.6 million available to cover all capital costs of replacing waking watches with a common alarm system, in accordance with the National Fire Chief Council's guidance on buildings that have changed from a 'Stay Put' to a 'Simultaneous Evacuation' fire safety strategy.
11. The Fund builds on the £35 million Waking Watch Relief Fund (WWRF) which focused on high-rise residential buildings and those with fire safety defects; the Fund is now open to all residential buildings where a waking watch is currently taking place, regardless of building size, cost, or presence of fire safety defect.
12. A segment summarising this development and encouraging eligible Council's to apply to the fund was sent to all Councils in England and Wales as part of Mark Lloyd's weekly Chief Executive's bulletin.

DLUHC's £8m New Burdens funding for cladding remediation

13. In December 2022, DLUHC began distributing £8m in New Burdens funding to 59 authorities to support their remediation of dangerous cladding.
14. The LGA has been working with both DLUHC and local authorities to ensure that this funding is utilised effectively.
15. At this stage, we have ensured that all authorities have been in contact with DLUHC and will be working with DLUHC colleagues to design and implement an engagement strategy to ensure that this continues.

16. We are also contacting local authorities to understand obstacles and challenges to utilising this funding, with an aim to develop a programme of support accordingly.
17. We continue to encourage authorities to consider whether they would benefit from a JIT inspection. Please contact brian.castle@local.gov.uk for any enquiries and interest.

Reinforced Autoclaved Aerated Concrete (RAAC)

18. We have continued our work with the Department of Education (DfE) to ensure local authority uptake of DfE's survey registering the prevalence of RAAC across the school estate. Several previously challenging authorities have recently completed these registrations and we are now nearing the close of this project as registrations near finalisation.
19. Where it had previously focused on school buildings, central government is now looking to expand RAAC identification and remediation to the wider public estate.
20. The Office of Government Property (OGP) will be convening a working group in which there will be a designated representative from each Government department who is responsible for the identification and remediation of RAAC in buildings owned by that department. This group will also be attended by key stakeholders including the LGA.
21. On the 23 May 2023, Secretary of State for Schools Nick Gibb announced that the DfE will make its full dataset on the condition of schools- including prevalence of RAAC- publicly available by summer recess, which begins on the 20 July 2023.
- 21.1. The LGA will be monitoring the media attention on RAAC in schools and will be preparing responsive policy lines to ensure that the experiences of local authorities are well represented.
- 21.2. In preparation for this, we are engaging with local authorities to develop our understanding of the issues and obstacles being faced by authorities in identifying and remediating RAAC, as well as ways in which central government can better support this work.
- 21.3. This work also fits within our wider strategy of raising awareness of RAAC; by engaging local authorities in advanced of this data release we hope to ensure that they are adequately aware and informed on the dangers of RAAC and the potential for media scrutiny.

Joint Inspection Team (JIT)

22. Councils have a duty to investigate suspected category 1 hazards under the Housing Act, which could include buildings with flammable cladding. The LGA is continuing to encourage its members to consider whether any private buildings in their area might benefit from a JIT inspection. Work is underway to expand the team's remit to cover buildings 11-18m high and non-cladding fire safety defects.

Building Safety Act

Responsible Actors Scheme (RAS)

23. On 25th April, the DLUHC introduced the Building Safety (Responsible Actors Scheme and Prohibitions) Regulation 2023 to establish the Responsible Actors Scheme. Developers are invited to join the RAS if they meet one of the following:

- 23.1. 'The developer's principal business is residential property development, and they were responsible (other than solely as a contractor) for the development or refurbishment of one or more building over 11m in height between 1992 and 2022;
- 23.2. The developer meets the "profits condition" (broadly, having an average annual operating profit of £10m or higher in the financial years ending 2017, 2018 and 2019), and developed or refurbished multiple buildings assessed as eligible for a relevant government cladding remediation scheme; and
- 23.3. At least one of the buildings over 11m in height that they developed or refurbished qualifies for remediation under the terms set out in the DLUHC's developer remediation contract.'

24. Under these regulations, RAS members must enter a contract with the Secretary of State in which they must undertake, at their own cost, identify and remediate any fire safety defects in their buildings.

25. Members who entered substantially similar contracts prior to the Regulations coming into force- such as that put out by DLUHC January 2023- will be treated as having satisfied this condition of membership.

26. The RAS will serve as a tool to persuade developers to conduct relevant remedial work. Not signing up to the RAS if invited to do so in effect bars companies from

accessing the development market through prohibiting access to major development works or building control approvals for works already underway.

The Building Safety Levy consultation

27. In addition to responding to the [technical consultation on the implementation of the Building Safety Levy](#), we have also written to the [Secretary of State at the Department of Levelling Up, Housing and Communities](#) and the [Chief Secretary of the Treasury](#). The letter urges them to reconsider their proposal to require 309 local authorities to set up separate, individual processes to act as a collection and administration agency for the Levy.
28. Instead, we have suggested that a more streamlined, cost-efficient approach to raising the additional funds for building safety remediation, which would benefit both central and local government, would be to expand the scope of the Residential Property Developer Tax (RPDT).
29. The Secretary of State has responded to our letter. In it he recognises that requiring local authorities to act as collection agents will mean that there will be many bodies collecting and returning the Levy to government and that this will be an additional burden that will require funding. However, the government's view remains that local authorities are a clear candidate to act as the collection and administration agent for the Levy.
30. We will continue to work with DLUHC to ensure that should local authorities be confirmed as the collection agents for the Levy that the process is as streamlined as possible to minimise the administrative burden, and that there is a mechanism for full cost recovery.
31. [On the LGA's website](#), you can find copies of the letters and the LGA's response to the two consultations on the Building Safety Levy.

Building Safety Register

32. On 12th April 2023, the Building Safety Regulator (BSR) opened registrations for high-rise residential buildings in England. Specifically, for all high-rise residential buildings that are: 18 metres tall or higher, at least 7 storeys tall, with two or more residential units.
33. Each building must be registered by a [Principal Accountable Person \(PAP\)](#).

34. It is a legal requirement under the Building Safety Act that all eligible buildings are registered with the BSR by 1 October 2023- failing to do so is a criminal offence.

Improvement

Large Panel Systems (LPS) case studies

35. The LGA has now completed the commissioning of six case studies on management strategies of LPS Buildings.
36. These case studies are now in-hand, and we are looking to publish them on the LGA website. Given the current workload of the marketing team in the run up to the LGA Conference, we're hoping that these will be published by July 2023.
37. Considering the new Safety Case regime introduced by the Building Safety Act we hope this will be a valuable resource for our members to become familiar with common challenges and best practise.
38. We applied for these case studies to be showcased at the LGA Conference's 'Innovation Zone' in July 2023. Our application to the Innovation Zone was unfortunately unsuccessful.

Implications for Wales

39. The Fire Safety Act came into force in Wales in [October 2021](#). The new regulations passed under the FSO only apply in England. Building regulations and fire and rescue services are devolved responsibilities of the Welsh Assembly Meeting: Fire Services Management Committee Date: 9 November 2022 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

40. Although the LGA has set up the Joint Inspection Team, the cost of doing so is being met by DLUHC. The Joint Inspection Team has secured funding for the next two years which will see it expand significantly.

Equalities implications

41. The group of people affected by building safety issues will be broad and include a wide variety of potential equalities issues, with social landlords for example having responsibilities to consider the need for personal emergency evacuation plans for people who are unable to self-evacuate from high-rise residential buildings.

Next steps

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

Environment, Economy, Housing and Transport Board – End of Year Report 2022/23

Purpose of Report

For information.

Is this report confidential? No

Summary

This report provides an overview of the work of the Environment, Economy, Housing and Transport Board (EEHT) in the period between September 2022 to August 2023. It also looks forward to consider the areas of focus for the Board in the coming year.

LGA Plan Theme: Committed to a sustainable future

Recommendation

That the Board notes and comments on achievements and forward look.

Contact details

Contact officer: Eamon Lally

Position: Principal Policy Adviser

Phone no: 0207 6643132

Email: eamon.lally@local.gov.uk

EEHT Board – End of Year Report 2022/23

Climate Change and Environment

1. **Local Net Zero Forum.** The Board has worked hard on encouraging the Department for Energy Security and Net Zero to lead an impactful Local Net Zero Forum. There has been some progress over the year, including further meetings and agreements to focus on certain elements of the net zero agenda, and in having the first political level Forum meeting co-chaired by the Minister and the LGA Chair, and including Lead Members of the Board.
2. **Fuel poverty and energy efficiency.** The Board led calls for greater support for people in fuel poverty because of the energy crisis. In particular calling for new investments in energy efficiency measures and advice to households on how to reduce their energy costs, as well as promoting the work of councils, and supporting them through the cost of living hub. Our research was widely covered in the media, including the [Guardian](#).
3. **Climate change adaptation.** We worked with Local Partnerships and the Department for Environment, Food and Rural Affairs (Defra) on a project to determine what local government needs from the update to the Third National Adaptation Programme (NAP3). The final report [Accelerating Adaptation Action](#) was launched on 8 June with a range of recommendations we hope to see reflected in the NAP published later this year. The [press release](#) of the report was widely covered by the media, including the [Mail](#), Express, and Independent newspapers. The project builds on LPs [climate change adaptation toolkit](#) and engagement with the Government via the Local Adaptation Advisory Panel.
4. **Neighbourhood net zero.** In November we published [our report](#) on Neighbourhood approach to decarbonisation and held a webinar to present the findings. The report is central to evidencing the critical role of local government in engaging and building trust in communities to support them to lead local climate action, which can often be overlooked in Whitehall.
5. **Partnership building.** The Board has focused on building wider and deeper partnerships on the climate agenda, in particular with the energy sector. This has led to a range of new opportunities for influence. For instance, on 10 January the LGA joined Energy UK, Federation of Master Builders and the National Housing Federation at a Parliamentary event engaging with dozens of MPs on the importance of local energy efficiency.

6. **Independent Net Zero Review.** On 13 January Chris Skidmore MP published his final report [Mission Zero, Independent Review of Net Zero](#), it is a comprehensive and detailed report. The LGA [submitted evidence](#) in October 2022, followed by a meeting between the Climate Change Task Group and Chris Skidmore MP, and officer meetings with the review team. The final report references the LGA on multiple points, including around the need for funding reform.
7. **Green heat project.** The LGA worked with the Energy Systems Catapult to design an approach whereby local and central government would work together to further enable decarbonisation of heat and buildings. [Green Heat: heat and buildings decarbonisation up to 2050](#) outlines a new approach to enabling councils to lead on retrofit and fuel poverty. The report was launched with a [press release](#), widely covered in the national media such as the [Independent](#) and local media such as [Evening Standard](#).
8. **Renewable energy.** We are working with Local Partnerships to review and update the LGAs [Renewable Energy Good Practice Guidance](#), which supports councils to explore options for taking forward renewable energy projects. The final report will be launched at LGA Annual Conference alongside research examining the number of renewable energy projects with planning permission and waiting to be built.
9. **Local government and the future of the electricity system.** The Board has spearheaded the sectors engagement on this critical issue for the economy and net zero. This includes working with Ofgem and partners on the potential reforms to governance to give councils a greater role in shaping grid investments, responding to [consultations](#) on this issue, and bringing [electricity partners and councils together](#) to discuss a way forward.
10. **Climate Change Task Group.** The Board has participated in meeting of the CCTG, including with Minister Lord Callanan and Minister Rowley.
11. **Events.** The Board has led several events across the year. Including a Smith Square Debate on climate change, webinars on adaptation, on energy efficiency and fuel poverty, an in-person event on the future of the grid, and others.

Environment and waste

12. **Waste and recycling reforms.** The Board has continued to engage in the detail of the proposed waste and recycling reforms, including the Extended Producer Responsibility and collection consistency. There have been some successes, for

instance that the EPR scheme administrator will be a public body and involve local government. However, we continue to press for progress. Our representations to emphasise the importance of local flexibility in waste services are frequently covered in the media, for instance the [Daily Mail](#), as well as some of our concerns around the delays to reforms, such as the [Guardian](#). The board has also led work on proposals to prevent councils from charging for [DIY waste](#) at Waste and Recycling centres, and [fly tipping](#).

13. **Chemicals in the waste stream.** The Board continues to be involved around the issues relating to the implementation of new regulations on the disposal of fabric covered seating containing harmful chemicals (persistent organic pollutants). The LGA [responded to consultation on changes to the POPs regulations](#) recommending that Defra, the Environment Agency and the LGA work together on a long-term strategy to deal with a conveyor belt of new chemicals being added to the list of POPs. The previous Board Chair met with Minister Pow to discuss this issue.
14. **Nutrient and water neutrality.** The LGA's Inquiry into nutrient and water neutrality concluded in March with the publication of the [final report and recommendations](#). A press release accompanied the publication of the report setting out the need for urgent action and funding so that 20,000 homes on hold due to nutrient and water neutrality can be built. It was welcome to see that the Government has recognised the need for upfront funding and has invited councils impacted by nutrient neutrality to submit evidence and put forward an [expression of interest for additional funding for projects](#) to unlock housing.
15. **Coastal landfill.** An LGA press release and webinar on 12 January highlighted the need for urgent action on the coastal landfill timebomb, featuring research from the LGA's Coastal Special Interest Group (SIG) into the extent of the problem, which affects 26 coastal authorities. The project was widely covered across the media, including [BBC](#) and the [Guardian](#).
16. **Bio-diversity Net Gain.** The Board continues to engage Defra officials on the implementation of BNG, including raising several issues around the detail and on funding. The Board will likely write to Ministers on this issue as BNG is due to come in November 2023 for large sites. In promoting the policy, the LGA joined forces with Natural England and the Berkely Group to host a conference on the issue.
17. **Local Nature Recovery Strategies (LNRs).** The Board has continued to engage with Defra on the development of LNRs, including on details of new

burdens, guidance, and regulations. The LNRS process is also experiencing delays causing councils a number of challenges and is still unclear in a number of ways including the link with the planning system.

18. **Environmental targets.** Following the introduction of the Environment Act, Defra has set out more details of the Environment targets introduced by the Act. The LGA [responded to consultation on environment targets](#) and the [draft air quality control programme](#), which also follows on from the air quality chapter of the Environment Act.
19. **Flooding.** The Board ran a webinar on the unpredictable risk of surface water flooding, with presentations from the Environment Agency, Severn Trent Water in partnership with Mansfield Council and the Greater London Authority.

Economic Growth

20. We commissioned Green Economy to produce a report highlighting the social and economic benefits of having businesses located in a local authority area that provide low carbon and environmental goods and services. The report is evidence based with case studies and suggests measures councils can take to make their area more attractive for these businesses to locate in. Focus will be on the supply of goods and services required for the Net Zero transition.
21. We commissioned The Retail Group to produce a report highlighting the social and economic opportunities and benefits of repurposing shopping centres to reflect the needs of the town centre, the community, the local authority, and the businesses located within their area. The report will be evidence based with case studies and the provider will suggest measures and approaches councils can take to repurpose shopping centres or support the repurpose of shopping centres where their ownership lies solely in the private sector.
22. LGA officials took part in discussions with DLUHC officials in shaping Government proposals to introduce high street rental auction powers. The Government is currently consulting on this. Our view is that such powers could be a useful additional tool in the 'high streets toolbox' to protect, revive and repurpose our town centres if the powers are simple and cost effective for councils to use.

Housing, planning and homelessness

23. **Planning reforms and the Levelling Up and Regeneration Bill** – We responded to a number of Government consultations including the infrastructure levy, increases to planning fees, reforms to the national planning policy

framework and Environmental Outcomes Reports. We briefed Cllr Jamieson to present oral evidence on the proposed reforms to the Levelling Up, Housing and Communities Select Committee.

24. **Permitted Development Rights** – We responded to the Government’s consultation on introducing a new use class and associated permitted development rights for short-term lets. We also submitted evidence to the APPG for Ending Homelessness and Housing Market & Delivery inquiry into Housing Solutions for Homeless Households – Rethinking Conversions.
25. **Social rent cap.** The Government [recognised](#) the impact that a rent increase below CPI+1% would have on the ability of councils to invest in new and existing social housing and provide decent homes and services to tenants. The impact was robustly evidenced in the LGA’s [response](#) to the consultation. Whilst still going ahead with a rent ceiling below CPI+1%, it decided on a 7% ceiling, rather than the Government’s previously preferred option of 5%.
26. **Renters Reform.** The Levelling Up, Housing and Communities Select Committee launched a written inquiry and an oral evidence inquiry into reforming the private rented sector, in August and September respectively. The purpose of the inquiry was to examine the Government’s proposals set out in its White Paper, published in June 2022. We submitted [written evidence](#) and Councillor Darren Rodwell (Vice-chair for the LGA’s EEHT Board) gave evidence at the oral evidence session on behalf of the LGA.
27. **Decent Homes Standard in the private rented sector.** The LGA [responded](#) to the Government’s consultation to extend the Decent Homes Standard to the private rented sector. Our response broadly welcomed the introduction of the standard, but councils need to be provided with adequate and upfront new burdens funding to regulate the standard.
28. **Exempt accommodation.** We have [briefed](#) parliamentarians throughout the passage of the Supported Housing (Regulatory Oversight) Bill. We have been broadly supportive of the bill but have expressed concern around resourcing issues which will need to be adequately funded in order for the bill to be successfully implemented.
29. **Building Safety Levy (BSL)** - We responded to the Government consultation on the design and the implementation of the BSL. We also wrote to Michael Gove MP, Secretary of State for Levelling Up, Housing and Communities

urgently asking the department to reconsider their proposed approach. Officers continue to work with DLUHC on the design and implementation of the levy.

30. **Local Authority Housing Fund.** We worked with DLUHC on the design of the £500 million Local Authority Housing Fund which will run over financial years 2022-23 and 2023-24. The capital fund is aimed at supporting local authorities to provide move on and settled accommodation for people from Ukraine through the Ukraine Family Scheme and Homes for Ukraine Scheme, and the Afghans who worked alongside the British Government. The Government has recently confirmed an additional £250 million fund with the majority of the additional funding used to house those on Afghan resettlement schemes (ARAP/ACRS) currently in bridging accommodation and the rest used to ease wider homelessness pressures. The LGA has created an [online forum](#) to facilitate discussion and shared learning between local authorities participating in LAHF.
31. **Housing Revenue Accounts (HRA).** Working with the Association of Retained Council Housing and the National Federation of ALMOs, we jointly commissioned Savills to undertake a [research project](#) to assess the recent and emerging pressures to HRAs. The overarching project objective was to understand and assess how effectively the HRA self-financing model is operating in relation to meeting expenditure needs. We also supported DLUHC to host a Ministerial roundtable with Rachel Maclean MP, Minister for Housing and Planning, and Baroness Scott to discuss financial pressures on local authority HRAs.
32. **Right to Buy.** The LGA has long called for councils to be able to retain 100% of their right to buy receipts. The Government announced that councils would be able to do so for the years 2022-23 and 2023-24 in March 2023. We continue to call on the Government to make these changes permanent and to allow councils to set discount rates locally.
33. **Compulsory purchase – compensation reforms.** We [responded](#) to the Government consultation on amending the compensation provisions in relation to the assessment of prospective planning permission where land is acquired by compulsion.
34. **Social housing regulation bill.** We have [briefed](#) on the Social Housing Regulation Bill as it goes through the House of Lords and House of Commons, emphasising our key messages. The LGA has also supported a number of key amendments – a list of which can be found [here](#). We secured an amendment

that specifies that the Regulator must give consideration to appointing representatives from a variety of councils when making appointments to the Advisory Panel. We have also run two webinars to update councils on the upcoming regulatory changes to social housing and one on improving tenant experience.

35. **Other parliamentary activity.** We have briefed for debates on: the future of social housing; homelessness among Ukrainian refugees in the UK; planning policy; and the Government's white paper (a fairer private rented sector).
36. **Housing Sector Professionalisation.** The Government has tabled an amendment in the Social Housing (Regulation) Bill, which aims to professionalise housing management, by requiring relevant staff to complete qualifications up to a certain level. In advance of a Government consultation and stakeholder roundtables, the LGA surveyed councils to form a snapshot of how this amendment might affect the sector.
37. **Consequential Changes to Homelessness Legislation** - The [LGA responded to the Government's technical consultation on consequential changes to the homelessness legislation](#) in January 2023. We highlighted that councils were most supportive of Option 1 in the consultation, meaning councils must consider that someone is threatened with homelessness if they will become homeless within 56 days, as required under the prevention duty in Section 4 of the Homelessness Reduction Act 2017. The Government agreed with Option 1, setting out its [response](#) on 17 May and through the [Renters Reform Bill](#).
38. **Out of Area Placement Guidance.** The LGA published the [Out of Area Placement Guidance](#) in January 2023. It sets out best practice and procedure on out of area placements in another local authority area within England. This applies to accommodation used to meet the duties set out in homelessness legislation, as well as when a local authority is supporting a child under Section 17 of the Children Act 1989, where this support includes provision of accommodation.
39. **Homelessness Prevention Grant Consultation Submission.** We [responded to the Government's technical consultation](#) on changing the funding formula for the Homelessness Prevention Grant. We submitted our response at the end of August which was generally supportive of a move towards simplified, multi-year funding but was critical of certain elements such as the use of Area Cost

Adjustments and data such as population, which didn't necessarily reflect housing pressures.

40. **Rough Sleeping Strategy.** The Government published its [Rough Sleeping Strategy](#) in September 2022. It included longstanding LGA policy asks, including: better access to mental health, drug and alcohol support; a commitment that no one leaving a public institution will end up on the street; more supported housing and Housing First nationally; and embedding the voices of lived experience into policymaking.
41. **Making the Case for Investing in Homelessness Prevention.** The LGA worked with Local Partnerships, Leeds City Council and Cornwall Council to produce a report, [Making the Case for Investing in Homelessness Prevention](#), that looks at what approaches have worked in homelessness prevention, how much they cost, costs that have been avoided, and some of the benefits accrued by their implementation. A tool has also been developed that councils can use to calculate their own savings.
42. **Kerslake Commission on Homelessness and Rough Sleeping.** The Kerslake Commission published a [Progress Report](#) in September 2022. We submitted information on the LGA's progress and the progress of local authorities on its recommendations.
43. **Houses in Multiple Occupancy.** The Government has introduced a Statutory Instrument to temporarily exempt asylum accommodation from Houses in Multiple Occupancy (HMO) licensing requirements. We set out our position through this [briefing](#) to Lords, which was referenced several times and picked up by media outlets. Following this, the Government committed to engage with the LGA and councils to successfully implement any changes.
44. **Media activity.** We issued proactive press releases on: [planning fees](#); [right to buy](#); [temporary accommodation](#); [social rent caps](#); [right to buy](#); [social housing management peer challenge](#).
45. **Leadership Essentials.** The 2022/23 Housing course took place at Warwick Business School from 19th – 20th January 2023. 100% of the 14 participants said that the course had improved their ability to carry out their role.
46. **Housing Advisers Programme.** The 2022/23 programme awarded grants of up to £20,000 to 94 councils across 21 projects. Project areas include homelessness, green homes, housing strategy, housing supply, planning and

the private rented sector. An online survey of participants of the programme in 2020/21 and 2021/22 found that:

- 83% of participants in 2020/21 and 100% of participants in 2021/22 indicated that the HAP had enabled them to make progress towards their key goals,
- 83% of participants in 2020/21 and 100% of participants in 2021/22 would definitely recommend the programme if asked,
- 83% of participants in 2020/21 and 100% of participants in 2021/22 felt that HAP has had or will have a positive impact on their capacity to deliver housing, homelessness services provision and/or place making
- 100% of participants in both cohorts stated that the support they received through HAP has had a positive impact on their ability to meet local housing needs.

Transport

A high quality, well managed, low carbon local road network

47. **Dealing with highways obstruction.** Following representation by several member councils, the Board agreed for the LGA to undertake research in support of councils' ability to deal with obstructions on the highway, specifically to align powers to issue Fixed Penalty Notices (FPNs) as is the case in London. A [survey](#) was undertaken, and the findings were also shared with DfT officials, ministers and sympathetic partners, such as Sustrans and Living Streets. Further work has been commissioned to highlight the challenges of improving accessibility on our footways to promote the case to Government for further reform.
48. **EV charging infrastructure.** Following extensive lobbying by the LGA, the Government committed to a step change in funding and support for local authorities to promote the planning and delivery of local EV charging infrastructure for residents without off-street parking. Subsequently, LGA officers have been involved in shaping the £450 million Local Electric Vehicle Infrastructure ([LEVI](#)) fund, helping to ensure that councils have flexibility in how they can use the funding and that expert support is available. The LGA has

worked in partnership with OZEV and partners to support member councils in accessing the LEVI fund via a webinar.

49. **Highways maintenance.** An independent DfT commissioned study reported that current levels of funding to local authorities will result in a gradual decline in the condition of local roads. The LGA further [highlighted](#) how inflation and spending pressures would risk accelerating the speed of decline; we also highlighted the wide gulf in Government spending on maintenance for local roads [compared to the strategic roads network](#).
50. **Freight.** Building on the report on the [future of last-mile freight](#) commissioned by the board last year, officers have been engaged in an advisory role for an ESRC project looking at developing a framework for local drone deliveries. We have also agreed to advise on another proposed research project look at supporting local decision making to deliver Net Zero last-mile freight.

Transport - A high quality alternative to driving every journey

51. **Buses.** The LGA has continued to push Government to fully commit to its own national bus strategy following the disappointment in the levels and allocation of funding that was made available via Bus Service Improvement Plans (BSIPs). We had written to Transport Committee's inquiry into progress of the national bus strategy and met with the chair of the committee. Many of our concerns were reflected in the final [findings](#).
52. The LGA welcomed the Government's investment in the £2 fares cap and extensions in support for protecting bus services following the pandemic, but continued to call for continued commitment to bus service reform and funding as set out in the national bus strategy, [Bus Back Better](#).
53. **Active Travel.** This year saw the establishment of Active Travel England – an arm's length government body created to meet the vision set out by national Government for half of all journeys in towns and cities to be walked, wheeled or cycled by 2030. The LGA sought to strengthen its relationship with ATE and to develop its understanding of local government, inviting their Chief Executive, Danny Williams, to a board meeting to discuss the operational work of the new organisation and how it would work with local authorities and its role as a statutory consultee for large planning applications. The LGA were also invited to input into the National Audit Office's report into Active Travel England. We also [expressed disappointment](#) with the recent £200 million reduction in planned expenditure, calling for the decision to be urgently reversed.

54. **Shared Micromobility.** As part of the LGA's ongoing work to support local transport improvement and in particular decarbonisation, the EEHT Board commissioned a [report](#) exploring shared micromobility in the UK. The report highlighted that the current UK micromobility regulation has not caught up with the speed of development of new types of micromobility vehicles. The UK Government has delayed its plans to introduce a Transport Bill which aimed to provide greater regulatory clarity on new forms of micromobility vehicles including e-scooters and other types of light electric vehicles.
55. **Drones** – Drones and Unmanned aircraft are expected to become a common feature across public and private/ commercial services. The Government are working with industry on this agenda and it is vital that local government is involved in shaping future plans. The LGA is represented on the ministerial [Future of Flight Industry Group](#), which is chaired by the aviation minister, Baroness Vere. The Group's purpose is to support the delivery of a Future of Flight Plan to maximise the benefits of such technologies while ensuring their emergence is safe and secure, and accepted by the public.

Transport - A high quality alternative to making the journey

56. **Supporting councils to manage demand for private car use.** Officers supporting the EEHT Board worked with colleagues in the LGA's improvement arm to shape our [Decarbonising Transport Action Learning Sets programme](#). The programme enabled a small group to tackle similar transport related challenges and meet on a regular basis, with these sessions creating a safe space for relationships to be built, best practice to be shared, and challenges to be overcome. The groups included 10 councillors, split into two groups and 20 officers, split into three groups, from across England; with each session designed to increase the understanding of, introduce examples of, and appreciate the barriers and solutions to decarbonising transport.
57. **Local Transport Plans (LTP)** – LGA officers have taken part in discussions with DfT officials with regards to their planned refresh of LTP guidance. LTP is a statutory transport plan deriving from the Transport Act 2000. The guidance would include a shift in the approach for developing an LTP with a focus on a framework of priority outcomes for local transport; making existing modal plans (buses and cycling/walking plans) a part of a suite of support documents to the LTP. These would include a requirement for an EV charging strategy to be published as a detailed supporting document to the LTP itself; and incorporate decarbonisation into the planning process via Quantifiable Carbon Reduction

(QCR) measures. The LGA has said this approach needs to be accompanied by reductions in competitive bidding and consolidation of funding streams with greater local flexibility to meet local priorities.

58. **Car share.** Car sharing and car clubs have the potential to reduce congestion and carbon emissions and other harmful emissions. The LGA published a [good practice report](#) and webinar to support councils who want to promote the concept in their areas.
59. **Road pricing/ future of motoring taxes.** We have used the research undertaken by Mott MacDonalds on behalf of the LGA to [push the Government](#) to make progress on identifying a replacement for the fuel duty and to involve local government when making that decision.
60. **Parking.** We have continued to call for the Government to make progress on pavement parking following its consultation in 2020 and raised this with the local transport minister. At the moment different rules continue to apply outside of London, whereas in the capital there is a default ban on pavement parking.
61. We also supported research being led by the British Parking Association (BPA) and Parking and Traffic Regulations Outside London (PATROL) with regards to the current levels of parking and traffic penalty charges and how they are impacting and impeding councils in managing and enforcing their road networks. Outside of London there has been no formal review of parking penalty charges in England and Wales since 2008.

Looking Forward

62. At their meeting on 22 May 2023, Informal Group Leaders asked officers to review the portfolios of the Environment, Economy, Housing and Transport (EEHT), Resources, City Regions and People and Places Boards with a view to
 - Potentially reshaping the portfolios in order to give greater focus to the economy, devolution and climate change/net zero
 - Clarifying responsibilities and reducing some duplication
63. A report and recommendations will be brought to the LGA Board on 19 July. The reforms are very likely to have an impact on the relevant Boards' terms of reference and this makes it more challenging to anticipate the work programme from September 2023.

64. However, in considering future work a number of factors will come into play, including the LGA's Business Plan, the Government's policy and legislative agenda and also, where appropriate, continuity with the Board's current work programme.
65. **The LGA's business plan** for 2022 to 2025 was published in October 2022 and it sets out the vision for the organisation to be *the national voice of local government* with the purpose to *promote, improve* and *support* local government. The Business Plan sets out four policy and campaigning priorities
- A sustainable financial future
 - Stronger local economies, thriving local democracy
 - Putting people first
 - Championing climate change and local environments
66. The Business Plan does not include everything that the LGA does, but elements of the Board's work are prominent, particularly housing supply, housing quality and climate change. These are areas of work that will need to continue.
67. **The Government's legislative agenda** contains a number of Bills that relate directly to the work of the Board; in particular: the Energy Bill; the Levelling-up and Regeneration Bill (which has a large section on planning); the Renters Reform Bill; and the Social Housing Regulation Bill. The Board has been active in promoting the interests of local government in relation to these Bills. These areas of work will remain important for the Board either because they are still going through the legislative process or because they have received Royal Assent and are being implemented.
68. **The work of the Board:** as can be seen above, the Board has done a considerable amount of work over the last year and has sought to recognise the interconnectedness of its individual themes. On the environment and Net Zero the work explicitly recognises that future growth is dependent on the economy transitioning to a sustainable footing and that there are substantial short to medium term advantages in gearing up the workforce and businesses to deliver decarbonisation of buildings and transport, and in delivering a localised and devolved energy system.
69. Without the expansion of the Grid and investment to address nutrient pollution and water neutrality, it will be much harder to deliver the homes that our

communities need. Housing is one of the key pillars of our economy and building the homes of the right type, the right quality and in the right place will help to contribute directly to growth and address social and financial challenges, such as homelessness and the ever-growing housing benefit bill.

70. Our economy is also dependent on a high quality, well managed, low carbon local road network. However, this must be supported with the provision of high-quality alternatives to driving every journey, including public transport and active travel options and other measures to manage demand on the network.
71. Many of the determinants of growth are place dependant and local authorities are in the best position to understand their area's needs. The Board will draw on the knowledge of LGA members to present the case to Government for policy development and implementation across its themes.
72. A draft outline work programme will be brought to the Board at its first meeting of the new session in September 2023.

Implications for Wales

73. We will continue to work with the Welsh LGA to share good practice and information.

Financial Implications

74. There are no immediate financial implications

Equalities implications

75. The Board seeks to ensure that the equalities implications of policy developments are explored across all its themes of interest. All of the areas of policy that the Board oversees have significant impacts on individuals and communities. [The general equalities impacts were outlined in a paper to the Board in February 2021](#) and each of the Board's reports explore the equalities implications of any specific policy proposals.

Next steps

76. A draft work programme for 2023/24 will be brought to the Board in September and this will reflect any comments made by Members at the Board meeting.

Environment, Economy, Housing and Transport Board Update Report

Purpose of Report

For information.

Is this report confidential? No

Summary

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

LGA Plan Theme: Committed to a sustainable future

Recommendation

That the Board note the update.

Contact details

Contact officer: Eamon Lally

Position: Principal Policy Adviser

Phone no: 020 76 643132

Email: eamon.lally@local.gov.uk

EEHT Board Update Report

Housing, planning and homelessness

Consultation on increases to planning fees and improving performance

1. We have [responded](#) to the Government's technical consultation on proposals to increase planning application fees and improve the performance monitoring framework for local authority planning departments in April 2023. In our response we welcomed the proposal to increase planning application fees. However, our modelling showed that even if all application fees were uplifted by 35 per cent, the overall national shortfall for 2020/21 would have remained above £80 million. We have called on Government to give councils the flexibility to set planning fees at local level to cover their costs relating to planning.

Planning Reform

2. The LGA Chairman, Cllr James Jamieson, [gave oral evidence at the Levelling-Up, Housing and Communities Select Committee](#) in March 2023 on the proposed reforms to national planning policy. This followed the LGA's [submission](#) in March to the Government's consultation on reforms to national planning policy.

Infrastructure Levy consultation

3. The Government has recently closed a [consultation on the proposed Infrastructure Levy](#) (IL), designed to replace the current system of developer contributions for infrastructure spending. A paper was brought to EEHT Lead Members on Tuesday 9 May seeking direction on the LGA's response to the consultation. At that meeting, it was agreed that LGA officers would pursue a joint letter with sector allies to publicly oppose the introduction of the IL.
4. We have worked with other organisations who have local government membership including the Royal Town Planning Institute (RTPI), District Councils Network (DCN), County Councils Network (CCN) and London Councils as well as private sector organisations to draft a pan-sector letter. The letter will be made public in the week following the consultation deadline alongside a joint media campaign.

Short-term lets consultation

5. We have recently responded to two consultations regarding short-term lets, one proposing to [introduce a registration scheme](#) and one proposing to introduce a

[new use class for short-term lets and associated permitted development rights](#).

These consultations respond to findings from an earlier government consultation and both proposals are [ideas that were put forward by us on behalf of our members in our response](#). These follow up consultations explore the detail of how these proposals could work.

Environmental Outcomes Reports – technical consultation

6. The government has recently closed a consultation on a new system of environmental assessment known as [Environmental Outcomes Reports](#). This will allow the government to replace the EU-derived Strategic Environmental Assessment and Environmental Impact Assessment processes.
7. In our view, the consultation does not contain the level of detail required to understand how Environmental Outcome Reports (EOR's) will work in practice, so we have prepared a letter setting out our primary concerns and priorities for the next steps of engagement with local authorities.

Housing Revenue Account sustainability

8. On 26 April, the LGA ran a joint Ministerial workshop with DLUHC discussing Housing Revenue Accounts (HRA) across the country. 11 local authorities attended the session with the LGA Chairman, Rachel Maclean MP, Minister for Housing and Planning, and Baroness Scott of Bybrook OBE and discussed the challenges local authority landlords face in managing social housing stock, delivering on multiple priorities and regulatory requirements, and on collaborative solutions that could ease upcoming costs.
9. DLUHC and LGA officials are working together with attendees to develop examples and evidence of themes discussed and report back to ministers in June. A series of virtual council roundtables are also being planned for later this year.

Housing Sector Professionalisation

10. The government has tabled an amendment in the Social Housing (Regulation) Bill, which aims to professionalise housing management, by requiring relevant staff to complete qualifications up to a certain level. In advance of a government consultation and stakeholder roundtables, the LGA has issued a survey to council housing directors which will form a snapshot of how this amendment might affect the sector. We also supported a local authority roundtable on 24 May with DLUHC officials to understand the sector's views.

Residential Leasehold Building Insurance

11. We are working to understand the detail and scale of issues councils are experiencing when obtaining insurance on behalf of leaseholders. We are engaging with DLUHC and the insurance industry to explore potential solutions, which includes tracking the progress of the risk pooling initiative being set up following the Financial Conduct Authority [report](#) in Autumn 2022. A local authority roundtable will be hosted in due course to explore the issue further.

Empty Homes Research Report

12. We are in the process of commissioning a new piece of work on empty homes. This will take the form of an updated status report on empty homes which summarises the scale of the current issue, promotes council good practice and outlines key recommendations to bring more empty homes back into use. It will also cover an element of horizon scanning on what this issue could look like in the future.

Houses in Multiple Occupancy

13. The Government introduced a Statutory Instrument to temporarily exempt asylum accommodation from Houses in Multiple Occupancy (HMO) licensing requirements, which sets out the national minimum standards that HMO accommodation must meet to ensure the safety and quality of accommodation, such as protections around occupancy rates, compliance with safety requirements and a fit and proper persons test for landlords.
14. We have set out our position through a [briefing](#) to Lords, which was referenced several times, and highlighted our concerns around the potential of creating a ‘two-tier’ system and urged the Government to work collaboratively with councils and the LGA to successfully implement any changes. We will be following up on the Government’s stated commitment to engage with the LGA and councils.

Rural homelessness

15. A coalition of organisations commissioned [rural homelessness research](#) in March which highlighted specific rural challenges such as dispersed support services, urban-centric national policies, challenges of geography and stigma around accessing support in rural areas. The Chairman attended a roundtable with Minister Buchan and other stakeholders to discuss the research’s implications for councils on 20 April. Further, the LGA is collaborating with English Rural and the Centre for Homelessness Impact to work with a small

selection of rural councils to utilise a more data-led approach to rough sleeping in a rural context. The LGA, English Rural and the Centre for Homelessness Impact delivered the first workshop on 30 May 2023 with further workshops due to occur over summer.

Out of Area Placement Guidance

16. In January, we published [Out of Area Placement Guidance](#) accompanied by a workshop for local authorities. During the workshop, we discussed the guidance at length and the ways councils could implement it. Discussion also focused on what elements would be difficult for councils to implement without further support or resources from central government. Following the workshop, we have worked with sub-regions to support implementation of the guidance in the different contexts of different areas. We have run a workshop with councils in Lancashire and are producing a report on their next steps in developing a sub-regional protocol. We are also working with councils in Essex to run a similar event in the near future.

Afghan bridging accommodation

17. The Government is working to move Afghan households on from bridging hotels by 31 August. The LGA continues to stress the need for more effective engagement across local government as the programme develops. Following on from the recently issued information on funding, [changes to the matching process](#) and [criteria for vulnerable people](#), the Government has also shared updated and translated resources on the 'Find Your Own Accommodation' pathway with Home Office Liaison Officers working alongside councils in bridging hotels. These resources are also available on the Government's Afghan Resettlement Knowledge Hub group, alongside other information to support Afghans. We are continuing to stress the need for more effective engagement with councils as the programme develops and have worked with DLUHC and the Home Office to set up a ministerial webinar for council leaders on 6 June and a webinar for chief executives with senior officials on 7 June.

Improvement

18. On 18 May, the LGA ran a joint workshop with the National Housing Federation (NHF) reflecting on five years of the Homelessness Reduction Act with 48 delegates in attendance. The workshop focused on the housing association's adoption of the 'Commitment to Refer' – whereby housing associations have voluntarily signed up to refer to councils anyone who is homeless or at risk of

homelessness – and the future of place-based partnership working. We will continue running our series of workshops with the NHF in future.

Renters Reform Bill

19. The Government introduced the [Renters Reform Bill](#) to Parliament on 17 May. We have provided a Renters Reform Bill second reading briefing (Appendix A to agenda item 2) and will continue to work with parliamentarians and officials to fully reflect the sector's views on individual clauses. More information can be found on agenda item 2.

Economy

20. On 17 March Cllr Loïc Rich chaired a webinar to share Green Economy's findings of their LGA commissioned report on identifying the social and economic benefits of having businesses located in a local authority area that provide low carbon and environmental goods and services and suggest what measures councils can take to make their area attractive for these businesses to locate in. The panel was made up of representatives from Green Economy, Manchester City Council and Hertfordshire County Council and Climate Change and Sustainability Partnership and the final report will be on the LGA website shortly.

Waste

Waste and recycling reforms

21. The Board continues to press for further details on the waste and recycling reforms, and to urge against further delays. Our calls have been widely reported across the media, raised in meetings with Ministers, and regular meetings with officials at a strategic level and detailed level on elements of the reforms. Packaging producers are now calling publicly for the Extended Producer Responsibility scheme to be delayed, which the Board has [warned against](#).

Persistent Organic Pollutants

22. With a live situation for councils in dealing with chemical pollutants (POPs) in sofas and soft seating, the LGA commented on the potential for more chemicals to be added to the list of POPs. Our [response to consultation](#) raised alarm over the number of everyday items such as carpets and textiles that could come into the scope of POPs regulations. We called for a new relationship with Defra and

the Environment Agency and a long-term strategy for managing POPs in household waste.

All-Party Parliamentary Group on sustainable packaging

23. Councillor Linda Taylor attended a meeting of the APPG meeting on sustainable resources on 5 June to discuss the future of a circular economy for packaging, focussing on refillable and reusable packaging. The group invited the LGA to hear about the role of councils in the circular economy and understand our views on the actions necessary to reduce waste and unnecessary packaging.

Environment

Local Nature Recovery Strategies

24. Defra has provided greater clarity on local nature recovery strategies in new [statutory guidance](#) and [regulations](#). The development of local nature recovery strategies was set out in the Environment Act of 2021 and the next stage will be for Defra to appoint the responsible authorities, which can be either councils or Natural England, and confirm levels of funding to cover the additional responsibility. Councils are concerned by the delays in the process of developing LNRSs, for instance in appointing Responsible Authorities, determining funding, and timeframes. There is a wider concern about the role of LNRSs in leveraging funding into projects.

Bio-diversity reporting

25. On 17 May Defra published [guidance](#) to public authorities on how to comply with their new duty to conserve and enhance biodiversity, which came into force on 1 January 2023. This includes [guidance](#) to local government on how to deliver on their duty to provide local biodiversity reports, linked to the Local Nature Recovery Strategies and Biodiversity Net Gain.

Bio-diversity Net Gain

26. Local government is raising concerns about the timetables for BNG and the range of work still to do before it begins for large sites from November 2023, and small sites in April 2024. The Board is considering writing to Ministers to propose how councils can ensure the policy is a success, and what the government should do to enable this.

Climate Change

Local Net zero Forum

27. On 4 May the Local Net Zero Forum officer group met in Smith Square to discuss next steps. The meeting was well attended with representatives from DESNZ and Treasury, Local Government and the Local Government Association. We are now working with government on the details through a set of task and finish groups that aim to bring proposals to Ministers and council leaders later this year.

Adaptation

28. The Board has launched a report [Accelerating adaptation action](#), which has fed into Defra as part of the development of the third National Adaptation Programme. The [press release](#) of report was widely covered by the media, including the [Mail](#), Express, and Independent. On 28 March the LGA held a webinar to disseminate early findings. The panel was made up of representatives from Defra, Local Partnerships, Yorkshire and Humber Climate Commission, Kirklees Council and The Met Office. The final report will be on the LGA website shortly.

Green heat: heat and buildings decarbonisation

29. The LGA published its [Green Heat](#) report which explores the critical components of heat decarbonisation and how local and central government can work together to deliver heat and building decarbonisation by 2050. The report was widely covered in the media, including in the [independent](#) and [evening standard](#).

Energy

Role of local government in future energy planning

30. On 10 May 2023 the LGA responded to [Ofgem's consultation on Future energy institutions and governance](#). The response focused on the pivotal role councils need to play in effective energy system planning and operation at the sub national level as they are democratically elected strategic planners and place makers. <https://www.local.gov.uk/parliament/briefings-and-responses/lga-submission-ofgems-consultation-future-local-energy>

Future of local electricity event

31. On 16 May 2023 Councillor Pippa Heylings Chaired our in person Future Local Electricity Networks seminar. Panellists included representatives from the Distribution Network Operators (DNO) in England, National Grid ESO, Ofgem,

community energy associations, Energy UK, Energy Systems Catapult and councils to discuss the challenges and opportunities each sector faces and agree a way forward. Discussions were had on how DNOs and Councils can work proactively together, what the role of the Regional System Planner is likely to be, how that supports councils spatial planning and place making responsibilities and how energy system planning can be undertaken at best value. <https://www.local.gov.uk/future-local-electricity-networks-creating-partnership-approach-growth-16-may-2023>

Transport

Bus funding extended

32. The Government has [announced](#) it will extend its support for the £2 bus fares cap until the end of October and thereafter to £2.50 until November 2024. A further £300 million is confirmed for local authorities and operators until 2025 to protect vital routes. This consists of £150m this year (for 9 months) and £150m next year (for 12 months). Of this £80m pa will go to LAs and £70m to operators. Funding to local transport authorities will begin to be consolidated into a single BSIP+ allocation which will cover existing BSIP (Bus Service Improvement Plan) and LA BSOG (Bus Services Operators Grant that goes to local authorities) together with any new funding from the £80m. Final BSIP allocations can be found [here](#). The LGA have [previously called](#) for longer-term, multi-year certainty of funding to help patronage levels to recover and grow. LGA officers have continued to liaise with DfT officials on future funding scenarios. The DfT has also published an [interim evaluation](#) of the £2 fares cap initiative, which has shown some tentative and yet positive impacts on patronage and modal shift.

National Networks National Planning Statement – LGA response

33. The LGA responded to the Government's [draft revised National Networks National Planning Statement](#) (NNNPS) which covers the strategic road and rail networks and strategic rail freight interchanges (SRFIs). Our response highlighted two issues: the inconsistency in policies between local and national transport networks; and to highlight the fact that local transport is integral to national infrastructure – providing the 'last and first mile' of most journeys.

Inclusive streets

34. The Board has previously discussed several issues which relate to the accessibility of our streets. Pavements blocked by parked cars, wheelie bins, A-boards, uneven surfaces and high kerbs are a nuisance to many people but

discrimination for others; long stretches without benches to rest, and bus stops served by infrequent and expensive services diminish the dignity and opportunities available to residents. Soon we will expect to see more EV chargepoints and trailing cables as people charge their cars outside their homes.

35. As well as raising awareness for our membership, the project aims to capture good practice in terms of local strategies and interventions as well as barriers that exist to prevent councils doing more. We will use this in our lobbying and our work to influence manifestos.

Funding for electric vehicle chargepoints

36. Following a pilot phase, the Office for Zero Emission Vehicles (OZEV) launched the [Local EV Infrastructure \(LEVI\) Fund](#) to support local authorities in England to plan and deliver chargepoint infrastructure for residents without off-street parking. To support member councils with their initial expressions of interest, the LGA hosted a joint webinar with OZEV and the LEVI Support Body. Presentations and a recording of the event can be found [here](#).

Air Quality

37. The LGA responded to the Government's consultation on the revised [National Air Quality Strategy](#) (AQS) which sets out the actions that Defra expects local authorities to take in support of the national long-term air quality goals, including new PM2.5 targets. The LGA response highlighted: councils would like to do more, e.g. greater enforcement action, but are hampered by demands on their already stretched budgets; that a statutory duty for councils to act on polluters was not the right answer but if one was being considered it must be fully funded; the importance of the forthcoming Local Transport Plan guidance; and the importance of long-term consistency in national policy, funding and messaging. A summary of consultation responses and the Government's response can be found [here](#).
38. The LGA also responded to the Environmental Audit Committee's [inquiry into outdoor and indoor air quality targets](#). Our response set out the barriers to achieving national targets and highlighted the lack of adequate powers and funding to effectively decarbonise and reduce PM2.5 emissions within their local transport systems and to deal with domestic burning. With regards to indoor air quality, we highlighted the importance of safe, well-maintained and healthy homes and reductions in the public health grant. Cllr Pippa Heylings will be providing oral evidence on behalf of the LGA.

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

Environment, Economy, Housing & Transport Board

Tuesday, 21 March 2023

Hybrid Meeting - 18 Smith Square and Online

Attendance

An attendance list is attached as [Appendix A](#)

Item	Decisions and actions
------	-----------------------

1 Welcome, Apologies and Substitutes, Declarations of Interest

The Chairman welcomed members to the Environment, Economy, Housing and Transport Board meeting.

Apologies were received from Mayor Paul Dennett, Cllr Martin Gannon, Cllr Pippa Heylings, Cllr Claire Holland, Cllr Carl Les, and Cllr Paul Marshall.

No declarations of interest were made.

2 Active Travel England

The Chairman introduced Danny Williams, Chief Executive, and Brian Deegan, Director of Inspections, from Active Travel England (ATE) to give an update on their activities with councils and provide a look ahead at future work and funding.

ATE directly funds active travel schemes and as well as inspects and reviews them. From the summer, ATE would become a statutory consultee on large new housing developments. They also develop and deliver training for users and officers. Another focus was developing tools and datasets to be used by officers for a strong nationwide active travel sector.

Members made the following comments:

- There was often support for active travel infrastructure with a “loud minority” causing delays to take place, it was queried how to address opposition
- Funding was a challenge for councils, with issues such as road fixing already a priority
- It was queried if a framework or guidance be introduced to planning authorities
- It was suggested that ATE have a say on not only planning applications but local walking and infrastructure strategic plans

- It was suggested that ATE engage with Sub-national Strategic Transport Bodies.

In response, Danny and Brian from ATE made the following comments:

- The aim was that 50% of all journeys would be walking or cycling by 2030 with a focus primarily on walking infrastructure rather than cycling
- It was emphasised that ATE did not wish to have a “top down” approach and wanted to work with councils to deliver what they feel is best for their communities
- To address opposition to active travel infrastructure, it was suggested that councils should press ahead with schemes and then engage with those opposing to address specific concerns
- There were roles at ATE set up specifically for regional engagement

Kamal Panchal, Senior Adviser made the following comments:

- There were inflationary risks which could have an impact on local transport funding to watch
- That we should remember the wider role of Department for Transport in setting national policy and the role it has in funding local transport and highways investment.
- It was important that elected members are also supported on active travel, given the local sensitivities with such schemes. It was suggested that the LGA support members by working with ATE to provide advice and guidance for councillors.

Decision:

Members **noted** the report and discussions

3 Building Safety Update

The Chairman invited Mark Norris, Principal Adviser to give an update on LGA's building safety work including remediation, the Building Safety Act and improvement work with councils.

The following was highlighted to Members:

- Councils with building stock would be expected to start registering their buildings from April. Once the regime would be in place, the LGA would seek to engage with stock owning authorities to hear if there are any issues they were experiencing or anticipating for October.
- There had been discussions on the definition of a building, the definition introduced could make it more difficult for the regulator to treat certain buildings as a whole
- Members were encouraged to sign up for the LGA's building safety e-learning module and encouraged to give feedback.

Members made the following comments:

- It was important that government is lobbied to ensure buildings are not excluded from the regime
- Joint inspections from both councils and the fire brigade had caused some confusion

Regarding inspection, it had been raised that an implication for the definition of a building is that for some buildings, some parts of the building would need to be checked by the fire brigade and another part would need to be checked by the council with then the building safety regulator doing further inspections.

Decision:

Members **noted** the report.

4 Waste and Recycling

The Chairman invited Nick Porter, Senior Adviser, to present the report which gave an update on the Resource and Waste Strategy reforms and looks at other current and long-term issues relating to waste and recycling services.

The Chairman advised that he had met with the Minister for Environmental Quality and Resilience to reiterate the LGA's policy concerns.

Members made the following comments:

- Concerns were raised over the costs that councils could face with waste providers following the reforms
- Deposit return schemes were welcomed but it was stressed that this service should be accessible to all residents.
- The behaviour of residents should be considered when reforming the systems, such as how likely they are to separate food waste and green waste if required.
- There was some support for introducing regular food waste collections everywhere
- The use of data and tracing back to buyers should be considered to address fly tipping

Decision:

Members **noted** the report with the above comments.

5 Updates / Any other Boards business

The Chairman invited Eamon Lally, Principal Adviser, to present the report. It was noted that there had been lots of engagement with councils.

The following updates from the Spring Budget were highlighted to members:

- The Government is bringing forward a new discounted Public

Work Loans Board (PWLB) policy margin to support local authorities borrowing for Housing Revenue Accounts and the delivery of social housing. This will provide much-needed additional support for vital council housebuilding projects. However, this will not mitigate the impact of the Government's 7 per cent social rent cap for 2023/24.

- In recognition of the scale of the impact, the Spring Budget announces further support to ensure 'nutrient neutrality' obligations can be efficiently delivered, thereby reducing the risks facing developers building homes in affected areas.

Members discussed the LGA's work lobbying government on climate change. It was noted that whilst some progress on engagement was taking place, such as engagement with the Net Zero review, meetings with Ministers and the Skidmore report, it was not translating to significant change to policy delivery. The policy directorate at the LGA was focusing on core "punchy" messaging for manifestos and influencing ahead of a general election.

Decision:

Members **noted** the report.

6 Minutes of the previous meeting

The minutes of the meeting held on 24 January 2023 were agreed as 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 Loic Rich	Cornwall Council
Members	Cllr Kelham Cooke	South Kesteven District Council
	Cllr Mark Crane	Selby District Council
	Cllr Jonathan Edwards	Ash- Mid Sussex District Council
	Cllr Linda Taylor	Cornwall Council
	Mayor Philip Glanville	Hackney London Borough Council
	Cllr Philip Bialyk	Exeter City Council
	Cllr Emily Darlington	Milton Keynes Council
	Cllr Vikki Slade	Bournemouth, Christchurch and Poole Council
	Cllr Diana Moore	Exeter City Council
Apologies	Cllr Paul Marshall	West Sussex County Council
	Cllr Carl Les	North Yorkshire County Council
	Cllr Martin Gannon	Gateshead Council
	Mayor Paul Dennett	Salford City Council



Cllr Claire Holland
Cllr Pippa Heylings

Lambeth London Borough Council
South Cambridgeshire District Council

In Attendance

Danny Williams
Brian Deegan

Active Travel England
Active Travel England

LGA Officers

Georgina Brightwell
Eamon Lally
Mark Norris
Kamal Panchal
Emilia Peters
Nick Porter
Andrew Richmond
Jacqueline Smale

Document is Restricted

