

EEHT Update Report

Purpose

For discussion.

Summary

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

Recommendation

That the Board note the updates included in the report.

Action

Any actions to be taken forward as directed by members.

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The Bus Services Bill

1. The Queen's Speech introduced the Bus Services Bill which will allow local authorities the power to improve bus services for the people who use them. Mayoral combined authorities will be given automatic London-style powers to franchise local services. Other areas will need to apply to the Secretary of State to pursue franchising powers and all areas can benefit from enhanced partnership arrangements. Data about routes, fares and times would be made available across the country to developers of apps to give passengers better information about how to make the most of local bus services. The LGA has long called for greater control and influence of local bus provision and so the Bill marks a significant step for councils and their ambition for greater devolution of powers.
2. The LGA's on the day briefing stated:
 - 2.1 The ability for local areas to take responsibility for bus services through the option of franchising will be a useful tool for councils struggling to avoid gridlock on their roads in the face of an estimated up to 55 per cent increase in local traffic by 2040.
 - 2.2 However, this option is needed for all local authorities who wish to improve bus services in towns, villages and rural areas that are poorly served at present. It should not depend on having a directly-elected mayor. Greater access to buses data will help local people to access vital services.
 - 2.3 To be fully effective, the option to franchise needs to go hand-in-hand with the devolution of bus subsidies, a commitment to fully fund concessionary fares and effective traffic management powers. We look forward to working with the Government to ensure that the new legislation is beneficial to all areas of the country.
3. The Government are hoping that the final Bill will receive Royal Assent – and become the Bus Services Act – by early 2017. The legislation would then come into force around two months later, meaning that the first franchised service could start in 2018/19. The first Enhanced Partnership and Advanced Quality Partnerships schemes could start in mid to late 2017. See attached timetable outline (appendix one).
4. The LGA will examine the details of the Bill and continue to influence its journey, including associated regulations and guidance, through Parliament so that it offers maximum benefit to all council areas and the communities they serve. It will also continue to push for other reforms, such as devolution of the Bus Services Operators Grant, fully funding the concessionary fares scheme and allowing London-style moving traffic enforcement powers to all parts of the country to enable buses to run more punctually. [The Bus Services Bill: An Overview](#) is a useful DfT document setting out what the Bill will enable.

Cycling and Walking Investment Strategy

5. In December 2015 the Government set out the timescales and approach to developing the first Cycling and Walking Investment Strategy in the document 'Setting the First Cycling and Walking Investment Strategy'. The LGA responded to Government's consultation on the draft strategy. In summary, our response:
 - 5.1 Welcomed the Government's ambition to increase cycling and walking activity and deliver better safety, mobility and streets and highlighted that councils have long recognised the benefits of promoting cycling and walking to improving people's lives.
 - 5.2 Called for the Government to coordinate future strategies and their implementation across departments and their agencies.
 - 5.3 Called for greater certainty when it comes to funding local services. The LGA's cycling and walking survey 2015 shows that funding for local transport remains fragmented for most areas.
 - 5.4 Stated that Community Infrastructure Levy (CIL) and S106 are tools available to help promote the fullest possible use of public transport, walking and cycling but they cannot meet the whole infrastructure needs in an area.
 - 5.5 Questioned the balance between national and local initiatives. The draft strategy includes a plethora of national initiatives which risks confusing partners and those seeking to benefit from further support.
 - 5.6 Highlighted other low or zero-cost measures which the Government could take to help promote cycling and walking, such as enabling councils to enforce moving traffic violations and extending the ban on pavement parking to places outside London.

Reducing Roadworks disruption to local 'A' roads

6. The Government are consulting on two proposals aimed at improving road users' journeys by reducing delays experienced by drivers from roadworks, in particular when driving on 'A' roads looked after by local highway authorities:
 - 6.1 Ensuring that works on local 'A' roads are not left unattended over weekends. Instead, the work site should either be cleared or returned to traffic use, or the works should continue throughout the weekend.
 - 6.2 Prompt removal of temporary traffic lights once works are complete.
7. Whilst the LGA's response welcomed and shared the Government's desire to reduce congestion on local roads, including minimising the disruption caused by roadworks, there were a number of misgivings:

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7.1 The proposals fail to adequately build on existing tools and good practice. There is clear evidence that areas operating permit schemes and Lane Rental have been successful in reducing disruption and associated costs of congestion. It was a surprise and disappointing that there was no mention of the potential of Lane Rental in minimising highways occupation and disruption from roadworks.

7.2 The consultation does not adequately weigh up the cost-benefits of other policy options to tackle congestion and disruption from roadworks. It also lacks ambition as councils and local people would like to see a reduction in disruption caused by roadworks throughout the working week as well as at weekends, which would also deliver greater benefits to business. More could be done to tackle congestion if all councils were given powers and tools to do so, such as moving traffic enforcement powers, promoting Lane Rental and changes to street-works legislation that would help ensure that street-works were done properly in the first place.

7.3 The proposals are likely to result in increased costs to business and local tax-payers. If adopted, the proposals could result in additional costs to councils from already stretched budgets in undertaking their own works, from additional monitoring, and enforcement.

7.4 Whilst the LGA shares Government's ambition to reduce congestion and disruption from roadworks, we are concerned that their proposal risks creating poor legislation as a result of a rushed consultation exercise that does not adequately engage the local government sector or industry.

8. The LGA therefore proposed that it works with:

8.1 DfT, local authorities and the utilities sector to share the lessons and benefits of the permitting and lane rentals regime to a wider local government audience and develop a shared understanding of what further changes can be made to improve outcome.

8.2 DfT to discuss what further measures both local and central government can take to reduce congestion.

Housing and Planning Act update

9. The Housing and Planning Bill recently received Royal Assent, the Board has spent a lot of time with Members of Parliament to improve the Bill. Following our work with Peers, we were able to secure a number of amendments, including giving councils the ability to grant secure tenancies to families with children, restrictions around the resale of starter homes so that owners cannot 'cash in' on the discount only a few years after, changes to the taper rate for pay to stay and time limited pilots on competition in processing planning applications. The Act will still, however, have a significant impact on councils and their communities, the Board will now be working to represent and support councils as government develops regulations to force the sale of council homes, increase rents for some council tenants and build starter homes.

Waste, recycling and litter

10. The LGA is working with HMRC and the Treasury to defend the VAT exemption for council commercial waste services in a legal challenge brought by a private waste company. Evidence was submitted to the High Court at the end of April, using expert legal advice and witness statements from the LGA and a number of councils. The High Court hearing will take place in July.
11. Defra has set up a working group with the aim of standardising the different models household waste and recycling collections in operation. Central government recognise that this is a local decision but believes that a set of standard models for waste and recycling collection services would increase recycling rates and save money. The models will be voluntary for councils and there is currently no financial support from Defra from implementation. Any costs arising from changes to collection services would have to be met by councils. The LGA has advised Defra on the development of the project but has not committed to any public support or endorsement.
12. Regulations have been passed to allow councils to issue fixed penalty notices for flytipping. This was one of the LGA's recommendations to the Waste Crime call for evidence in 2015 and will enable councils to take enforcement action for low level fly-tipping. An interview with Councillor Peter Fleming went out on Sky and LGA statements were widely reported in the media including the BBC and in the local press.
13. Defra and DCLG are working with stakeholders including the LGA on a national litter strategy. This work is at an early stage and presents an opportunity for the LGA to pursue some of the other recommendations put forward to the Waste Crime call for evidence, including more joined up working to tackle litter on highways.

Flooding

14. We have submitted written and given oral evidence to the Environment, Food and Rural Affairs Committee inquiry into future flood prevention. Cllr Box met with the Rt Hon Oliver Letwin MP to discuss our submission to the National Resilience Review (appendix two). This covered a number of areas including increasing flexibility in the current approach to flood defence funding, further incentivising private sector investment in flood defences, allowing areas to use precepts as a mechanism for increasing funding for flood defences and the potential for flood defences to be developed as part of wider infrastructure and economic investment in local areas in the medium to long-term.