

General Update

Purpose

For discussion.

Summary

This report provides updates on a number of areas of work within the EEHT work programme which do not appear elsewhere on the agenda. It also includes a summary of Cllr Martin Tett's recent Ministerial meetings.

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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General Update

Buses and the Bus Services Bill

1. In October, the Bus Services Bill had its Report Stage debates, where peers supported amendments which would give all local areas access to franchising powers, not just Mayoral Combined Authorities and also succeeded in an amendment to remove Clause 21 from the Bill which attempted to prevent new instances of council ownership of bus companies. The LGA helped to plan these amendments and actively supported them. Peers also supported an amendment which seeks to ensure local authorities have the power to enforce moving traffic offences, as part of an advanced quality partnership scheme. We have supported the call for all councils to have enforcement powers to deal with moving traffic offences to help improve the reliability and punctuality of buses, making them a more attractive mode of travel. We have sent the Minister proposals for how such powers could work outside London and we are awaiting a response from the Department for Transport.
2. The LGA also submitted evidence to the Transport Committee's enquiry into the Bus Services Bill – making the case for universal access to automatic franchising powers, for BSOG funding reforms, moving traffic offences enforcement powers and stating our disagreement on the clause that would prevent the creation of new municipal bus companies.
3. The Bus Services Bill is expected to move to the House of Commons before Christmas recess and receive Royal Assent by April 2017. In order to help councils prepare and pursue new opportunities through reformed buses legislation the LGA are organising a national buses conference to take place at Layden House on 15th February 2017. Members of the EEHT Board are encouraged to attend and further details can be found [here](#).

Clean Air Zones consultation

4. The Department for Environment, Food and Rural Affairs (Defra) have launched a consultation on the implementation of Clean Air Zones (CAZs) in England. Clean Air Zones are areas where action is focussed to improve air quality and the cleanest vehicles are encouraged. They are the principle measure as set out in the Government's national plan to reduce nitrogen dioxide emissions and concentrations. CAZs can be both charging and non-charging and either varieties can be implemented by councils. Local authorities are already able to introduce a Clean Air Zone under powers within the Transport Act 2000 with Secretary of State approval. Part III of the Act empowers local authorities (as "charging authorities") to make a local charging scheme in respect of the use or keeping of motor vehicles on roads. The Government is, however, also proposing to make use of powers under section 87 of the Environment Act 1995, to require local authorities in five English cities (Birmingham, Derby, Leeds, Nottingham and Southampton) to use their Transport Act powers to implement Clean Air Zones.
5. LGA officers are meeting with officials representing the 5 cities and 3 other places that may consider a CAZ on a voluntary basis on the 9th November to help inform the LGA's response to Defra's consultation, which will include positions already established by the Board. The LGA has previously stated that:

- 5.1. Councils should not have solutions imposed on them but that Government should work with affected places to reduce emissions and impact from poor air quality.
 - 5.2. More policy powers, such as moving traffic offences enforcement, and funding powers (e.g. to promote bus and sustainable forms of travel) be devolved to councils so that they can do more to manage traffic emissions and congestion.
 - 5.3. The Government should incentivise a move away from the most harmful cars and consider what contribution vehicle manufacturers should make to the cost of reducing nitrogen dioxide pollution.
6. More recently, members may have read in the media about the High Court case between ClientEarth and the Government where the Government's national plan was judged to be illegally poor. The Prime Minister has said "We now recognise that Defra has to look at the judgement made by the courts and we now have to look again at the proposals we will bring forward. Nobody in this house doubts the importance of the issue of air quality. We have taken action, there is more to do and we will do it." LGA officers will monitor developments and update EEHT members as necessary.

Industrial Strategy

7. The LGA gave [written evidence](#) to the BIS Committee's inquiry into the Government's industrial strategy in early October. The inquiry launch follows the inclusion of the term "industrial strategy" into the Department for Business's name and an indication from the new Prime Minister, Theresa May, that her government will explicitly intervene to support certain parts of the economy. In summary, our response calls for:
- 7.1. The strategy to remain neither a static document nor be driven top-down from Whitehall, but should reflect the geographic and economic diversity of the UK.
 - 7.2. National government, in order to be successful, to work in partnership with local councils within the framework provided by devolution.
 - 7.3. The strategy to reflect that devolved governance arrangements have the potential to underpin an industrial strategy that takes proper account of the geographic and sectoral complexities of the national economy.
 - 7.4. Local leaders to be provided with much greater powers and flexibility over growth related funding to respond to the needs of their local economies and that such funding and powers do not bypass councils and local partners.
 - 7.5. The opportunity is taken to gear public funds to local economic needs, and therefore ensuring skills and labour supply which meet employers' current or future skills gaps and shortages.
 - 7.6. Once existing pressures and responsibilities have been fully funded, proposals for the full retention business rates income should prioritise the finance of devolved responsibilities linked to driving economic growth in local areas.
 - 7.7. The responsibilities, funding and geography of Local Enterprise Partnerships (LEPs), properly recognise local government's unique role in leading academic and private

sector partners to secure place-based outcomes, and that the default responsibility for any future government funding for local growth, such as the Local Growth Fund, should be combined authorities and councils.

Ministerial Meetings

8. Cllr Martin Tett has had a series of successful meetings with various Ministers and Government officials since taking up his positions as Chairman of EEHT. These include;
9. Meeting with Rt Hon Andrew Jones MP, Parliamentary Under Secretary of State for Transport.
 - 9.1. Cllr Tett had a positive introductory meeting with the PUSoS for Transport, Andrew Jones MP, where he took the opportunity to discuss priority transport issues of concern to the Board. This included the Bus Services Bill, tackling congestion and funding for local transport. On buses Cllr Tett restated our view that whilst we felt the Bill would help bus provision we felt that it fell short of being maximum help to all places, and that funding reforms would be required to maintain even current levels of services given continued financial pressures on council budgets. On congestion, the Minister said he would consider our proposals on how councils could implement moving traffic offences enforcement powers (Part 6 Traffic Management Act 2004) and will reply back in due course. As well as insufficient funding for buses and local roads maintenance, Cllr Tett also raised the issue of the fragmented nature of funding for local transport and growth more generally and how this made securing resources to improve connectivity for local people much more difficult and inefficient. He asked if the Minister would be able to consider these issues in his Department's contribution to the Autumn Statement.
10. Meeting with Rt Hon Gavin Barwell MP, Minister for Housing and Planning
 - 10.1. Cllr Tett recently met with the Minister for Housing and Planning to discuss matters of mutual concern to both the Department for Communities and Local Government and the LGA. These included the importance of resourcing planning departments, supporting local authorities to build homes outside their Housing Revenue Accounts, diversifying the types of developers engaged in construction, kick-starting development of those sites which have already received planning permission, the provision of public land for housebuilding, as well as the importance of delivering housing for a range of different needs locally. The Chairman and the Minister agreed to continue working on priority areas, including regular future meetings.
11. Meeting with Lord Gardiner of Kimble, Parliamentary Under Secretary of State for Rural Affairs and Biosecurity
 - 11.1. Finally, Cllr Tett met with Lord Gardiner to discuss common priorities between the LGA and the Department for Environment, Food and Rural Affairs. Cllr Tett and the Minister discussed concerns around connectivity, especially regarding the last 5% of people who don't have access to broadband. Cllr Tett raised the possibility of looking at planning law so that broadband services are automatically included in any new build planning applications, as well as using both cellular and fixed line services to deliver an overall increase in coverage. Concerning litter, Cllr Tett stressed the budgetary pressures around litter and both sides agreed to try and

work more closely on this issue. This meeting also included animal welfare, where both parties were keen to ensure that reforms to the animal licensing system reflects council priorities.

12. Meeting with the National Joint Utilities Group CEO Bob Gallienne

- 12.1. Cllr Tett also met with the Bob Gallienne and Jane Smith, respectively the CEO and Head of Public Affairs of the National Joint Utilities Group (NJUG) which is the UK Trade Association representing utilities and their contractors on streetworks issues. In my meeting Cllr Tett emphasised the importance councils place on minimising the disruption caused by street works. NJUG wishes to work closely with the LGA to highlight and encourage best practice. The Chairman made it clear that he feels the LGA's relationship is that of a critical friend. We share the utilities providers desire to minimise the amount of times of streets are dug up whilst acknowledging that this will be a key challenge given the growth in population and house building the UK is forecast to see. Cllr Tett stated that all parties must work in more intelligent and more collaborative ways in order to ensure that our roads are not gridlocked by constant streetworks nor our road surfaces destroyed by repeated reopening and reinstatement. It is also incumbent on the utilities sector that all of their works reach the right standard first time. It is clear that there is significant overlap between what councils want to see and what utilities and contractors want. We should work on this common ground in order to ensure that street works are minimised.