

Local Infrastructure and Net Zero Work Programme Update and Other Board Business

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. The report is split into two sections. The first section includes items that relate to Government announcements and other external activity. The second section sets out LGA activity, which includes references to LGA wins and other activity that relates to the Board's work programme.

The report is for discussion and information.

LGA Plan Theme: Championing climate change and local environments

Recommendation

That the Board discusses and notes the update

Contact details

Contact officer: Eamon Lally

Position: Principal Policy Adviser

Phone no: 020 76 6413132

Email: eamon.lally@local.gov.uk



Local Infrastructure and Net Zero Board

23 November 2023

Local Infrastructure and Net Zero Work Programme Update and Other Board Business

Government and other external activity

Housing, planning and homelessness

1. **Awaab's Law:** The government has recently launched the [consultation](#) on timescales for repairs in the social rented sector. This consultation aims set the timeframes that landlords will be required to investigate and fix reported health hazards within. The LGA will be responding to the consultation and is hosting a discussion session on Tuesday 6 February with councils to understand their views on the proposals and shape the LGA's response.
2. **Street vote development orders:** The government has launched a [consultation](#) which seeks views on the detailed operation of street vote development orders, which will inform the content of regulations using new powers in the Levelling Up and Regeneration Act 2023. We have previously raised concerns that the introduction of street vote development orders risks undermining the concept of a local, plan-led system. We will be responding to the consultation.
3. **Building Safety Levy:** The government has launched a second technical [consultation](#) which seeks views on the design and implementation of the levy. We have [previously raised concerns](#) that the levy collection will be highly inefficient and burdensome for local authorities and 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). We will be responding to the consultation.

Waste and environment

1. **Food waste.** Defra has confirmed the allocation of transitional capital funding to individual waste collection authorities towards the cost of implementing mandatory, weekly food waste collections in 2026. Some councils have raised concerns over allocations and are encouraged to speak with Defra about these. Work continues to understand the on going cost of mandatory food waste services, including transitional and ongoing revenue costs.
2. **Waste electricals.** Defra has launched a new [consultation](#) on reforming the UK wide producer responsibility scheme for waste electrical and electronic equipment. The consultation proposes that producers should fund the cost of collecting small electrical items from the kerbside, and invites views on whether this should be provided by local authorities or an alternative model of delivery. The consultation also proposes an obligation on internet sellers and retailers to offer a free collection on delivery service for

larger electrical items (such as washing machines). A section on vapes proposes that they become a standalone category rather than falling into a broad category of toys and other leisure equipment.

3. **‘DIY’ Waste:** Regulations have been laid to restrict the power for councils to charge for “DIY” type waste at household waste and recycling centres from 1 January 2024. It is disappointing that Government did not consider new burdens funding for this change to regulations.
4. **Nutrient neutrality.** Government has confirmed that they are not putting forward a legislative solution to the challenge of nutrient neutrality. The first tranche of the Local Nutrient Mitigation Fund has been allocated to lead local planning authorities (£57 million) and DLUHC is starting conversations with affected catchment areas about the next tranche of funding.
5. **Biodiversity Net Gain.** Biodiversity net gain will become mandatory in new planning permissions for large developments from 12 February and for smaller sites from 2 April 2024. There is now a greater level of guidance on how BNG will operate, there are still some unknowns that we are pressing on, such as the new burdens funding councils will receive.
6. **Local Nature Recovery Strategies.** Lead local authorities are currently working with partners locally in developing Local Nature Recovery Strategies. The LGA has been having conversations with Natural England and others about how to ensure LNRSs can influence the delivery of projects protecting and growing nature and biodiversity.

Climate Change

7. **Local Net Zero Accelerator programme.** Government announced the launch of the Local Net Zero Accelerator Programme. [Councils pilot net zero projects with £19 million government backing - GOV.UK \(www.gov.uk\)](#) The Pilots will help combined authorities deliver green initiatives such as retrofitting homes and installing solar panels. The three combined authorities are Greater Manchester, West Midlands and York and North Yorkshire.
8. **New report seeks to foster closer collaboration between energy networks and local authorities.** Energy Networks Association (ENA), in partnership with Regen, has published a report focused on how electricity and gas network operators can work more closely with local authorities to develop and deliver net zero plans. More than 30 local authorities fed into the [Collaborating for Local Net Zero Planning and Delivery report](#) which sets out how local authorities and energy networks currently work together to plan and deliver decarbonisation and outlines potential next steps to foster further collaboration.
9. **Social Housing Decarbonisation.** Government has announced over **£1.7bn of further funding** has been made available for to local authorities, providers of social housing,

and charities to support low-income households in England to tackle fuel poverty and to progress Net Zero 2050 targets. Grant funding for Wave 3 of the Social Housing Decarbonisation Fund (£1.253bn) and the new local authority retrofit scheme (£500m) will be split across 3 years from 2025-2028. DESNZ are also developing proposals for 'strategic partnerships' developing larger retrofit programmes to access funding and technical assistance support <https://www.gov.uk/government/news/families-business-and-industry-to-get-energy-efficiency-support>

10. Future Homes Standard and Written Ministerial Statement on energy efficiency.

The government published the consultation on The Future Homes and Buildings Standards [The Future Homes and Buildings Standards: 2023 consultation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/the-future-homes-and-buildings-standards-2023-consultation). Officers are discussing issues with councils and developing a response. The new standards would require all new homes to be 'zero carbon ready', for instance in sourcing space and water heating from either a heat network or heat pump. Alongside this a [Written Ministerial Statement](#) on local energy efficiency standards will restrict councils from introducing local energy efficiency standards that are higher than the national model.

11. Heat Network zoning. The Government has published [Proposals for heat network zoning 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposals-for-heat-network-zoning-2023). This will give councils the opportunity to take up a role in designating areas for heat network development, where new homes will be required to connect but existing homes and buildings will not. LGA officers are drafting a response, we will be highlighting the importance of funding councils sufficiently to undertake the zone coordinator role and leaving the options open for zone delivery models. The heat network zoning consultation forms part of a wider DESNZ programme for creating heat networks.

12. Home Energy Conservation Act (HECA). Government [has published updated guidance](#) to help local authorities in England with their 2023 reporting requirements, supporting the delivery of energy efficiency improvements to residential properties within their area and asking local authorities to publish a report by 29 February 2024.

Transport

13. Consultation: Street works - fines and lane rental surplus funds. The DfT have launched a [consultation](#) on a series of reforms to street works regulations, which include:

- requiring at least 50% of any surplus lane rental funds to be spent on repairing potholes
- raising the level of fixed penalty notices that can be issued for 5 street works offences
- allowing overrun charges to apply at weekends and bank holidays.

14. LGA officers will discuss these changes with experts from the sector with a view to submitting a response from the LGA in consultation with LINZ Board lead members. We will also encourage councils to respond and ask that they share their submissions with

the LGA. It would help if Board members could share with Kamal Panchal kamal.panchal@local.gov.uk and Simon Jeffrey simon.jeffrey@local.gov.uk.

15. Highways maintenance allocations. On 4 October 2023, the government announced £8.3 billion of additional highways maintenance funding over the period 2023 to 2024 and the next 10 years for local road resurfacing and wider maintenance activity on the local highway network. This consists of:

- £3.3 billion for local authorities (LAs) in the North West, North East, and Yorkshire and the Humber
- £2.2 billion for LAs in the West Midlands and East Midlands
- £2.8 billion for LAs in the East of England, South East, South West and London

16. The DfT have now confirmed and [published](#) the funding levels for 2023 to 2024 and 2024 to 2025, and the indicative minimum additional funding allocations between 2023 to 2024 and 2033 to 2034 inclusive. This new money is additional to the existing [Highways Maintenance Block \(HMB\) and Pothole Fund](#). At England level, the additional funding is £150 million for the 23/24 and £150 million for 24/25. The minimum additional overall uplift between 2024-25 and 2033-34 will be £6.9 billion, and £1.245 billion is to be allocated at a future date. The LGA have consistently called for a greater funding to help tackle the £14 billion backlog of road repairs and that future funding should come with long-term year-on-year certainty to help councils prioritise long-term preventative improvements, rather than more expensive reactive pot-hole repairs.

LGA Activity

Housing, planning and homelessness

- 1. Council housebuilding.** We have commissioned Pragmatix Advisory to undertake a research project to assess the economic, social and environmental benefits of 5-year local housing deals to support our [six-point plan](#) to support a generational step-change in council housebuilding . The final report will be published in Spring 2024.
- 2. Planning fees.** Following long-standing calls from the LGA, legislative amendments to increase planning application fees took effect on 6 December 2023. Application fees have increased by 25 per cent across the board, rising to 35 per cent for major schemes.
- 3. Renters Reform Bill.** We have [briefed](#) parliamentarians for Committee Stage welcoming the long-awaited Bill, but highlighting our concerns about the delay in ending Section 21 'no fault' eviction notices. We continue to engage with stakeholders and government as the Bill progresses and as we await a date for Report Stage. Mayor Dennett (Salford City Council) gave oral evidence to the Renters Reform Bill Committee on 14 November.
- 4. The Criminal Justice Bill.** We have highlighted our concerns about the measure related to rough sleeping, particularly the risks that councils will be expected to enforce measures that criminalise rough sleeping and that, instead, there should be a prevention-first approach. Cllr Sue Wooley gave oral evidence to the Criminal Justice Bill Committee on 14 December.
- 5. Streamlined asylum cessations.** The Home Office previously updated its processes for asylum support cessations. Previously, this included sending an application decision followed by a notification to discontinue support in 28 days to the refugee. The new process combines the application decision and discontinuation of support notices, resulting in shorter eviction and support timeframes. We lobbied hard for the Home Office to maximise notice and ensure wider support is available to mitigate homelessness and other risks and they have subsequently reverted back to the 28 day notice.
- 6. Local Housing Allowance Rates.** Local Housing Allowance (LHA) rates govern the maximum amount of Housing Benefit that low-income tenants of private landlords can receive. In the Autumn Statement the Chancellor announced that the private sector Local Housing Allowance (LHA) rate would be restored to the 30th percentile of market rents in April 2024 – a long-term campaigning ask from the LGA - before being re-frozen in April 2025, at a cost of £1.2bn. However, the LHA rate for Temporary Accommodation (TA) is set separately from the rate in the private rented sector and has been frozen since 2011. This has meant that councils have seen an ever-widening gap in the subsidy that they receive from the DWP. This was not addressed in the Autumn Statement. We are

procuring research to review councils' TA subsidy loss for 2022/23 (and mid-year estimates for 2023/24) and compare this to the likely impact of allowing the TA rate to rise in line with rents.

- 7. Rough Sleeping Advisory Panel: Prevention sub-group.** As a member of the Government's Rough Sleeping Advisory Panel, set up to scrutinise its 'Ending Rough Sleeping for Good Strategy', the LGA and St Basils led a sub-group over summer to specifically scrutinise progress and gaps on rough sleeping prevention. This is in addition to two other sub-groups focussing on intervention and recovery, and transparent and joined up systems. All sub-groups subsequently developed reports and these are published on the LGA's [website](#).
- 8. Rural rough sleeping.** The LGA has worked with English Rural to run a series of workshops throughout May, July and October with a small selection of rural councils to determine practice needed to develop effective action in rural communities. We have developed this into a report which was published on 29 January along with a good practice webinar chaired by Cllr Loic Rich.
- 9. Empty Homes:** The LGA has worked in partnership with the Empty Homes Network on a research project exploring the role that councils can play in encouraging more homes to be proactively brought back into use. The report: '[A practical approach for councils on dealing with empty homes](#)' was published in November 2023.
- 10. Provision of Information to Tenants:** The LGA has responded to DLUHC's 'Provision of information to tenants: Direction to the Social Housing Regulator on tenants' rights and complaints' consultation. The [LGA response](#) supported the principle that all registered providers of social housing should ensure that their tenants are clearly informed about their rights as a tenant whilst also continuing to highlight the significant financial income and expenditure pressures on individual Housing Revenue Accounts (HRAs). DLUHC's [response to the consultation](#) has now been published, with the department's approach remaining that where Local Authorities hold an HRA, costs relating to social housing should be funded by social rents and therefore not eligible for New Burdens funding.
- 11. Press releases:** We have issued a proactive release on [Empty Homes](#) and a reactive press release on the [Housing Secretary's speech on planning and housing](#).

Waste

- 12. Simpler recycling reforms.** Defra set out the next steps on the [implementation of simpler recycling reforms](#) on 21 October. This confirmed that councils will have local flexibility in the design of collection systems, a change that the LGA has long argued for. The LGA responded to two consultations that followed the announcement, asking for clarity on the funding and implementation plan for the challenging dates set out by Defra including the start of mandatory weekly food waste collections from 1 April 2026.

- 13. Extended Producer Responsibility.** The LGA has had regular engagement with Defra on the development of the reform of producer payments for packaging used by households. A key concern is securing the funding and timeframes for delivery, and ensuring influence for local government in the scheme administration that will run the scheme. The LGA is working with the local government associations in the devolved nations and the professional waste networks to prepare for the first meeting of the national Scheme Administrator steering group in early February. Defra invited the LGA to take up the single seat allocated to local government in England.
- 14. Carbon emissions arising from energy from waste.** Government has been looking at expanding the carbon emissions trading scheme to include energy from waste. From 2028, emissions from burning waste derived from fossil material would have to be offset by purchasing credits from the national trading scheme. With a new consultation expected shortly, the LGA has been working with councils and trade bodies to understand the financial implications, arguing for a whole systems approach that places responsibility for carbon emissions with those with the power to switch away from fossil material, rather than councils as the collectors of waste.
- 15. Waste polling.** The LGA and Yougov polling shows significant public trust in council waste services and in councils continuing to take decisions on the future of waste services, support for calls on producers to reduce packaging waste in the first place and to bear the costs associated with this. The polling overall reinforces our position on waste reforms, and will be published shortly.
- 16. Commercial waste.** The LGA is working with SLR on a project investigating the opportunities for councils in developing commercial waste services and the policy asks on Government to reduce non-household waste. This will also usefully explore the opportunities following Government's decision to extend waste duties on businesses including micro-firms from 2027.
- 17. Flytipping.** The latest annual statistics came out on 17 January showing a decline in the number of incidents. The LGA's [media response](#) was widely reported.

Climate Change

- 18. Local Net Zero Forum.** The second ministerial level Local Net Zero Forum meeting was held on 21 November with Lord Callanan representing government. LGA member reps welcomed the progression to date whilst making it clear that the work of the forum was far from completed and now needed to enter a period of acceleration. There has also been an officer level forum, building on the work of the task and finish groups.
- 19. Energy Security and Net Zero Committee.** Cllr Paula Widdowson gave evidence on behalf of the LGA Local Infrastructure and Net Zero Board at their **heating our homes inquiry**. Cllr Widdowson delivered the LGA lines on Local Climate Action being more cost effective than national action. [Parliamentlive.tv - Energy Security and Net Zero Committee](#)

- 20. Renewable Energy Good Practice webinar.** On 21 November the LGA hosted a webinar with Local Partnerships and Net Zero Go to present the updated version of the "[Renewable Energy Good Practice Guidance](#)" originally published in September 2020 and highlight how Net Zero Go can support councils implementing renewable energy and net zero programmes. [Presentations are available to view online.](#)
- 21. Back Local Climate Action.** On 24 November, the LGA along with DCN, CCN and London Councils [wrote to Claire Coutinho MP](#), and hosted a parliamentary event to promote our Back Local Climate Action campaign. The event was well attended with at least eleven MP's and Peers attending and discussing with members and officers why local climate action can achieve net zero at half the cost of national action and deliver three times the financial returns and wider benefits.
- 22. Opinion Poll.** New YouGov polling commissioned by the LGA shows that just 5 per cent of the public feel prepared for the impacts of climate change. Polling also showed that the public trust their council the most to lead the effort to prepare for the impacts. Also found 63% are worried about climate change, with storms, flooding, and heatwaves being the top 3 impacts. It generated press coverage across national media outlets.
- 23. Solar taskforce subgroups.** Officers have been representing member councils on the Solar Taskforce Subgroups for Rooftop Solar and Communications. Through the communications subgroup, Solar Energy UK (SEUK) have been preparing guidance on community benefits and engagement for ground mounted solar farms that are increasingly exceeding 50GW and being considered Nationally Significant Infrastructure Projects (NSIP). Officers have seen and commented on the community engagement guidance, labouing that engagement with communities should start at project inception. Draft community benefits guidance is due to be shared with officers shortly.
- 24. International learning on the governance of national and local collaboration on climate action** ARUP has submitted the first draft of the international learning on the governance of national and local collaboration on climate action report. The five example countries they have explored are Netherlands, Norway, South Korea, New Zealand and United States. Early indications are that there are some lessons that could be learned from each of the case study countries
- 25. Just Transition.** Officers have been working on a report on what a Just Transition to net zero should be which will include recommendation for government. We held a roundtable with representatives from Citizens Advice, Young Foundation, Think NPC, Institute for Community Studies, Womens Environmental Network, Heat Trust and member councils including Newham and Cheshire East to help inform the report which will be finalised spring 2024.

- 26. Biodiversity Net Gain.** The LGA are continuing to work with Defra and the Planning Advisory Service on the implementation of BNG, including a practitioner network of 800 local authority officers. The LGA is working with PAS and the Future Homes Hub to advise Defra and DLUHC on implementation, including clarity on new burden funding for councils and support on gaps in ecological expertise.
- 27. Nature recovery:** Councils are now preparing (LNRSs), the LGA has pressed on the importance of government providing clarity for supporting authorities on their role, as many are council planning authorities that must have regard to the LNRS. We are also pushing for the LNRS to have more role in the wider funding in order to deliver projects that protect and grow the natural environment. The LGA's Chief Executive met the senior team at Natural England in January with LNRS featuring on the agenda. The Planning Advisory Service is providing support to local authorities on nature recovery with a new member of the team coming on board to provide support on protected site strategies.
- 28. Office for Environmental Protection:** On 8 November the LGA hosted an online session for local authorities to meet the investigations team at the Office for Environmental Protection and find out about their roles and powers to investigate breaches of environmental law. The informal session included an opportunity for questions and answers.

Transport and Economy

- 29. Transport Accessibility.** On 22nd November Cllr Linda Taylor gave oral evidence to the [Transport Committee inquiry on Accessible Transport](#). A variety of legal obligations to ensure accessibility apply to transport operators and local licensing authorities across different modes of transport - the Transport Committee is conducting an inquiry into these legal obligations and whether they are being met.
- 30.** Cllr Taylor's evidence included issues in relation to pavement clutter and pavement parking, reiterating the LGA's support for banning pavement parking. The challenges facing home-to school transport were also discussed, including the deficit and the exemptions from PSVAR which expire in 2026, as well the inability for councils to enforce against taxi's registered in other areas but operating in their area.
- 31. Parking fine levels.** The LGA have co-signed a joint letter from Parking and Traffic Regulations Outside London (PATROL), the Local Government Association and the British Parking Association to the transport minister, shadow transport ministers and relevant DLUHC minister. The letter shares the result of research undertaken by PATROL into how the current levels of parking penalty charges are impacting and impeding local authority members across England and Wales in managing and enforcing their road networks, together with recommendations. Further information will be shared in due course and following a response from ministers.

32. Commissioned work: Three projects in support of the LINZ Board work programme were commissioned in January 2024 covering transport and high streets. These include:

- A project exploring traffic demand management tools available to councils, setting out the relative pros and cons for elected members to reflect on when considering such schemes.
- A project assessing the current distribution of decision-making powers between local and national government in the realm of local transport.
- A project exploring the implications of recent and forthcoming changes to planning, including the Levelling Up and Regeneration Act, and their impact on high street strategies.

33. The projects will include a mix of desk-based research as well as engagement with councils. Findings will be shared with the Board in due course.