

# Policy Inform: Regeneration and Environment

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## *Directorate Policy: July 2015*

*The Directorate Policy briefings will provide an overview of ongoing and recent national legislation, bills presented to Parliament, emerging policies and upcoming consultations. The Directorate Policy briefing will be produced specifically to inform Portfolio Holders and Elected Members and will be taken to Policy & Performance Committees for discussion.*

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# Introduction

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The policy briefing paper is intended to provide Members of the Policy and Performance Committee with the latest position on emerging policy and legislative developments to support the committees work programme and future scrutiny work.

During the course of the 2015-16 municipal year, it is proposed that the Council's Policy and Strategy team prepares four policy briefings papers for consideration by the Committee. The following table outlines the timetable for the preparation and reporting of policy briefing papers:

<b>Policy &amp; Performance Committee Briefings</b>	
<b>July 2015</b>	The first policy briefing will focus predominately on the Queen's Speech, which will establish the Government's legislative programme for the parliamentary year ahead.
<b>September 2015</b>	The second policy briefing will be produced in September and will focus predominately on the Chancellor's July 2015 Budget Statement. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
<b>January 2016</b>	The third policy briefing will be produced in accordance with the local government finance settlement which informs the annual determination of funding to local government. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
<b>March 2016</b>	The fourth policy briefing will focus upon the Chancellor of Exchequers Budget. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.

The July Policy Briefing paper focuses predominantly on the policies and legislation that have emerged from the newly formed Conservative Government. The paper provides initial information based on the available information released by Central Government at this time. It is expected that the September Briefing Paper will be more detailed following the release of further information from Government and will also consider the implications for Wirral.

The Committee may wish to identify specific policy areas to focus upon which are in line with the Committee's work programme. Detailed briefing papers can be prepared for these subject matters at the request of the Committee which would be in addition to the regular policy briefing papers outlined above.

# Conservative Manifesto

## Conservative Manifesto- Key Points :

On 14<sup>th</sup> April 2015, the Conservative Party launched their Manifesto which outlined their party pledges for the parliamentary year ahead if they were elected into Government. The columns below identify the manifesto themes that are of most relevance to local government and more specifically to the Regeneration and Environment Policy and Performance Committee. The majority of the pledges identified have recently been referenced in further detail within the Queen's Speech, following the success of the Conservative Party in the 2015 General Election.

### Housing and Planning

- Extend Help to Buy to cover another 120,000 homes
- Construction of 200,000 new starter homes sold at 20% below the asking price to first-time buyers under 40
- New Help to Buy ISA
- Extend right to buy to housing association tenants, funding replacement of properties by requiring local authorities to manage their housing assets more efficiently, with most expensive properties sold off and replaced as they fall vacant.
- Fund Housing Zones to transform brownfield sites into new housing (funded from council house sales)
- Increase the inheritance tax threshold on family homes to £1m by 2017
- Aim at least to double the number of custom-built and self-built homes by 2020.
- A new Right to Build, requiring councils to allocate land to local people to build
- Offer 10,000 new homes to rent at below market rates, to help people save for a deposit
- Let local people have more say on local planning and let them vote on local issues

### Infrastructure, Procurement and Transport

- Secure the delivery of superfast broadband in urban and rural areas to provide coverage to 95 per cent of the UK by the end of 2017
- Raise the target for SMEs' share of central government procurement to one-third, strengthen the Prompt Payment Code and ensure that all major government suppliers sign up
- Invest over £100 billion in infrastructure over the next Parliament
- Add 1,300 extra lane miles to our roads, improve over 60 problem junctions, and continue to provide enough funding to fix around 18 million potholes nationwide between 2015 and 2021
- Double the number of journeys made by bicycle and invest over £200 million to make cycling safer
- Build High Speed 2 – the new North-South railway linking up London with the West Midlands, Leeds and Manchester – and develop High Speed 3 to join up the North.

### Environment

- Halt new public subsidies for onshore windfarms
- A free vote to repeal the ban on hunting with dogs
- Support low-cost measures on energy efficiency, with the goal of insulating a million more homes over the next five years
- Ensure that every home and business in the country has a Smart Meter by 2020
- Launch a programme of pocket parks – small areas of inviting public space where people can enjoy relief from the hustle and bustle of city streets
- Create a Sovereign Wealth Fund for the North of England, so that the shale gas resources of the North are used to invest in the future of the North
- Review the case for higher Fixed Penalty Notices for littering and allow councils to tackle small-scale fly-tipping through Fixed Penalties rather than costly prosecutions.

## Conservative Manifesto- Key Points (Continued):

### Economy and Work

- Eliminate the deficit: reduce government spending by one per cent each year in real terms for first two financial years – further £30 billion in fiscal consolidation through: £13 billion from departmental savings, £12 billion from welfare savings and £5 billion from tackling tax evasion
- Requiring 40% of those entitled to take part in strike ballots to vote for a strike before industrial action can be held
- Requiring companies with more than 250 employees to publish their gender pay gap – the difference between average pay for male and female employees
- Give those who work for a big company and the public sector a new workplace entitlement to volunteering leave for three days a year, on full pay.
- In second phase, starting in 2018-19, move into surplus in both fiscal mandate and the current budget
- Introduce a law guaranteeing no rise in VAT, national insurance contributions or income tax
- Increasing the minimum wage to £6.70 by the autumn and to £8 by the end of the decade
- Support Living wage and encourage employers to pay it

### Devolution/Constitutional Change

- Strengthen and improve devolution for each part of the United Kingdom in a way that accepts that there is no one-size-fits-all solution. Implement the Smith Commission and St David's Day Agreement or equivalent changes in the rest of the UK, including English votes for English laws
- Devolve far-reaching powers over economic development, transport and social care to large cities which choose to have elected mayors
- Add a new stage to how English legislation is passed; no bill or part of a bill relating only to England would be able to pass to its Third Reading and become law without being approved through a legislative consent motion by a Grand Committee made up of all English MPs, or all English and Welsh MPs
- Deliver more bespoke Growth Deals with local councils
- Extend the principle of English consent to financial matters such as how spending is distributed within England and to taxation including an English rate of Income Tax when the equivalent decisions have been devolved to Scotland.

### Other areas of interest

- Cut £12 billion from Welfare Spending
- Review of business rates to report by 2016 Budget.
- Encourage councils to help manage public land and buildings, and will give authorities at least a 10 per cent stake in public sector land sales in their area
- Strengthen the Community Right to Bid – extend the length of time communities have to purchase these assets, and require owners to set a clear 'reserve' price for the community to aim for when bidding
- Set up a Pub Loan Fund to enable community groups to obtain small loans to pay for feasibility work, lawyers' fees, or materials for refurbishment, where they have bid to run the pub as part of our reforms to the Community Asset Register

# Queen's Speech 2015

On Wednesday 27<sup>th</sup> March 2015, the Queen unveiled the Government's legislative plans for the year ahead. Below is a list of each individual Bill which will have implications for local government that were announced during the speech. The list identifies the Policy and Performance committee with whose remit the legislation most closely aligns:

Legislative Plans	Policy and Performance Committee
National Insurance Contributions Bill/ Finance Bill	Transformation and Resources
Full Employment and Welfare Benefits Bill	All Policy and Performance Committees
Trade Unions Bill	Transformation and Resources
Housing Bill	Regeneration and Environment
Cities and Local Government Devolution Bill	Regeneration and Environment
Buses Bill	Regeneration and Environment
High Speed Rail Bill	Regeneration and Environment
Childcare Bill	Families and Wellbeing
Energy Bill	Regeneration and Environment
Education and Adoption Bill	Families and Wellbeing
Enterprise Bill	Regeneration and Environment
Policing and Criminal Justice Bill	Families and Wellbeing Transformation and Resources
Draft Public Service Ombudsman Bill	Transformation and Resources
Psychoactive Substances Bill	Families and Wellbeing

Additional bills that have been announced are outlined below. These will be monitored in relation to any emerging implications for Local Government and reported to the relevant Policy and Performance Committee as appropriate.

Additional Legislative Plans
EU Referendum Bill
Scotland Bill
Immigration Bill
Extremism Bill
Investigatory Powers Bill
Charities Bill
Armed Forces Bill
Bank of England Bill
Northern Ireland (Stormont House Agreement) Bill
Wales Bill
Votes for Life Bill

The bills relevant to the Regeneration and Environment Committee are discussed in further detail below. The information provided has been sourced predominately from the LGiU, as well as SOLACE and the LGC and therefore solely represents a fact-based introduction to the bills.

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## **Cities and Local Government Devolution Bill**

*“Devolution of powers to cities with elected metro mayors”  
(The Queen’s Speech)*

### **Synopsis:**

The Bill will provide for the devolution of powers to cities with elected metro mayor, continuing the government’s commitment to building a ‘northern powerhouse’.<sup>ii</sup>

### **Key Points:**

The main elements of the Bill are to:

- To provide new primary legislative powers to fulfill the Government’s manifesto commitments.
- Together with existing powers under the Localism Act 2011, the Bill would also enable the Government to empower towns and counties, building on the programme of Growth Deals which the Government implemented in the last Parliament.
- The provisions in the Bill would be generic (to be applied by order to specified combined authorities and their areas) and would enable:
  - An elected mayor for the combined authority’s area who would exercise specified functions and chair the authority.
  - The mayor to undertake the functions of Police and Crime Commissioner (PCC) for the area.
  - Where a mayor is to have PCC functions, allow the current PCC term of office to be extended until the mayor is in place.
  - Remove the current statutory limitation on its functions (currently these are limited to those on economic development, regeneration, and transport).
  - Enable local authority governance to be streamlined as agreed by councils.<sup>iii</sup>

### **Any Further Details:**

As part of the wider devolution package, the Queen’s speech announced the introduction of the Buses Bill which would provide the option for Combined Authority areas with directly-elected mayors to be responsible for the running of their local bus services. The Government says the move would allow cities to promote an integrated transport system.<sup>iv</sup>

On the 29<sup>th</sup> May 2015 the Cities and Local Government Devolution Bill was published in full. The bill stated that the Communities Secretary could enforce the adoption of the elected mayor model and would have the power to remove the dissenting council from the combined authority.<sup>v</sup>

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## **Housing Bill**

***“Support home ownership and give housing association tenants the chance to own their own home.”  
(The Queen’s Speech)***

### **Synopsis:**

This legislation will give housing association tenants the chance to own their own home. It also aims to increase housing supply and access to home ownership.<sup>vi</sup>

### **Key Points:**

The main elements of the Bill can be separated into two sections:

#### **Home Ownership:**

- To enable the extension of Right to Buy levels of discount to housing association tenants.
- To require local authorities to dispose of high-value vacant council houses, to help fund the Right to Buy extension discounts and the building of more affordable homes in the area.
- To provide the necessary statutory framework to support the delivery of Starter Homes.
- To take forward the Right to Build, requiring local planning authorities to support custom and self-builders registered in their area in identifying suitable plots of land to build or commission their own home.

#### **Housing Supply:**

- To introduce a statutory register for brownfield land, to help achieve the target of getting Local Development Orders in place on 90% of suitable brownfield sites by 2020.
- To simplify and speed up the neighbourhood planning system, to support communities that seek to meet local housing and other development needs through neighbourhood planning.
- To give effect to other changes to housing and planning legislation that would support housing growth.<sup>vii</sup>

### **Any Further Details:**

Plans to support home ownership and extend the right-to-buy scheme to 1.3 million social housing tenants in England feature in the new Housing Bill. Under the plans, housing association tenants will be able to buy the homes they rent at a discount. There will also be help for first-time buyers, with 200,000 starter homes made available to under-40s at a 20% discount. Both are commitments which were included in the Conservatives' general election manifesto. The government says the bill will increase the housing supply and ensure local people have more control over planning.<sup>viii</sup>

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## **Energy Bill**

***"Increase energy security"  
(The Queen's Speech)***

### **Synopsis:**

The aim of this Bill is to improve energy security. It gives new powers to the Oil and Gas Authority (OGA) to maximise the economic recovery of oil and gas from UK waters and changes the law to give local communities a greater say in planning applications for wind farms.<sup>ix</sup>

### **Key Points:**

Aspects of the Bill potentially relevant to local government include:

- Ensuring local planning authorities have consenting powers for all onshore wind farms.
- The Bill would make legislative changes to remove the need for the Secretary of State's consent for any large onshore wind farms (over 50MW)
- This, in effect, would devolve powers out of Whitehall by transferring the existing consenting powers, in relation to onshore wind, to local planning authorities.
- This will mean that in future the primary decision maker for onshore wind consents in England and Wales will be the local planning authority. These changes will be supported by changes to the national planning policy framework to give effect to the manifesto commitment that local communities should have the final say on planning applications for wind farms.
- These changes would not impact on the planning regime in Scotland and Northern Ireland.
- The commitment to end new subsidy for onshore wind farms will be delivered separately, and DECC will be announcing measures to deliver this soon.<sup>x</sup>

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## **High Speed Rail Bill**

***"High-speed rail links between the different parts of the country."  
(The Queen's Speech)***

### **Synopsis:**

The aim of this Bill is to provide the Government with the legal powers to construct and operate phase 1 of the High Speed 2 (HS2) railway.<sup>xi</sup>

### **Key Points:**

The main elements of the Bill are:

- Give the Government deemed planning permission for the railway between London and the West Midlands.
- Give the Government compulsory purchase powers and the power to temporarily take possession of land required to construct and operate the railway.
- Help rebalance the UK economy and free up space on the UK rail network, improving connections between London, the Midlands, the North and Scotland<sup>xii</sup>

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## **Enterprise Bill**

***"Reduce regulation on small businesses so they can create jobs."  
(The Queen's Speech)***

### **Synopsis:**

This bill will include measures to reduce regulation on small businesses in a bid to boost job creation.<sup>xiii</sup>

### **Key Points:**

The main elements of the Bill are:

- Seek to cut red tape for British business by at least £10bn and, for the first time, require independent regulators to contribute to that target.
- Proposes to create a new Small Business Conciliation Service, to help settle disputes between small and large businesses, especially over late payment practices.
- To improve the business rates system ahead of the 2017 revaluation, including by modernising the appeals system
- To introduce a cap on public sector redundancy payments to six figures for the highest earners.<sup>xiv</sup>

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## **Full Employment and Welfare Benefit Bill**

***"Achieve full employment and provide more people with the security of a job."  
(The Queen's Speech)***

### **Synopsis:**

The aim of this bill is to achieve full employment. The legislation will continue to expand the Troubled Families Programme as well as continue welfare reform, capping benefits and requiring young people to 'earn or learn'.<sup>xv</sup>

### **Key Points:**

The main elements of the Bill are to:

- A working-age benefit freeze.
- The new legislation would freeze the main rates of the majority of working age benefits, tax credits and Child Benefit for two years from 2016-17. Pensioners would be protected, as would benefits relating to the additional costs of disability. Statutory payments, such as Statutory Maternity, Paternity, and Adoption Pay would also be exempted.
- The new legislation would lower the benefit cap so that the total amount of benefits a non-working family can receive in a year would be £23,000.
- Households are exempt where someone is entitled to Working Tax Credit or is in receipt of benefits relating to additional costs of disability, or War Widow's and Widower's Pension.
- The Bill includes a duty to report annually on progress against meeting our target of 3 million new apprenticeships.

- Troubled Families Programme: The Bill includes a duty to report annually on progress of the Troubled Families programme. The Bill also seeks to place a requirement on public bodies to provide information to the Secretary of State in order that he may fulfil that duty.
- Put in place a new Youth Allowance for 18-21 year olds with stronger work related conditionality from Day 1. After 6 months they will be required to go on an apprenticeship, training or community work placement;
- Remove automatic entitlement to housing support for 18-21 year olds;
- Provide Jobcentre Plus adviser support in schools across England to supplement careers advice and provide routes into work experience and apprenticeships.<sup>xvi</sup>

# Recent and Ongoing National Legislation

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## Infrastructure Act 2015

### Synopsis:

The Infrastructure Act received Royal Assent on 12<sup>th</sup> February 2015. The changes introduced by this Act, most of which will come into force at a later date, are intended to make the delivery of a range of infrastructure faster and more efficient through improvements to funding, management and refinement of the planning processes.

### Key Points:

A summary of the changes brought by the Infrastructure Act 2015 can be found below:

- The creation of a new Government owned subsidiary company from 1 April 2015 to be known as Highways England will take over the responsibility for strategic roads from the Highways Agency.
- The creation of a strategy for the provision of cycling and walking infrastructure.
- Changes to the nationally significant infrastructure projects planning to improve the administrative process.
- Allow certain types of planning conditions to be discharged upon application if a local authority has not notified the developer of their decision within a prescribed time period
- Transferring responsibility for Local Land Charge searches from local authorities to the Land Registry.
- Changes to the provision of zero carbon homes by allowing off-site 'allowable solutions' to be taken into account.
- Giving communities a right to buy a stake in local renewable electricity schemes.
- Requiring the government to produce a strategy for maximising the economic recovery of UK's offshore petroleum and provide powers to raise levies for holders of certain energy industry licences.
- Streamlining the underground access regime and make it easier for companies to drill for oil, shale gas and geothermal energy.
- Changes to reimburse arrangements whereby electricity customers pay a proportionate of the costs of putting in place infrastructure to connect to the network paid for previously by another customer.
- Providing power to abolish Public Works Loan Commissioners.

### For More Information:

[Mark Upton, Infrastructure Act 2015, LGiU, 09/04/15](#)

# Policy Developments

## House of Commons Education Report: Apprenticeships and Traineeships for 16-19 year olds

### Synopsis:

In recent years, the operation of Government-funded apprenticeships and vocational education has undergone significant change due to concerns about the number of young people entering into apprenticeships and the quality of apprenticeships. On the 21<sup>st</sup> July 2014, the Commons Education Committee launched an inquiry into the effectiveness of apprenticeships, whether apprenticeships represented value for money for the Government and how the Government could encourage more businesses and young people to consider apprenticeships and traineeships.

On the 9<sup>th</sup> March 2015 the House of Commons published a report entitled 'Apprenticeships and Traineeships for 16-19 year olds' which examined the main findings from the inquiry.

### Report Findings:

The report found that the central challenge for the Government's reform programme is to increase the number of young apprenticeship opportunities while ensuring that quality is at least maintained if not improved. The report stated that it supported the Government's efforts to give employers greater say, control and stake in apprenticeships but it must guard against system changes which deter employers, and smaller employers in particular, from participating.

### Key Dates:



### For More Information:

[Kathy Baker, Apprenticeships and Traineeships for 16-19 year olds: Commons Education Committee, LGiU, 30/04/15](#)

## **ENDNOTES:**

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- <sup>i</sup> Janet Sillett, Briefing: Conservative Manifesto Commitments- The Local Government Perspective, LGiU, 12/05/15
- <sup>ii</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>iii</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>iv</sup> Queen’s Speech 2015: Bill-by-bill, BBC, 27/05/15
- <sup>v</sup> David Paine, Devolution bill paves the way for imposition of elected mayors, LGC, 29/05/15
- <sup>vi</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>vii</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>viii</sup> Queen’s Speech 2015: Bill-by-bill, BBC, 27/05/15
- <sup>ix</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>x</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>xi</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>xii</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>xiii</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>xiv</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>xv</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- <sup>xvi</sup> Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15

## **SOURCES EMBEDDED WITHIN THE PAPER:**

- [Mark Upton, Infrastructure Act 2015, LGiU, 09/04/15](#)
- [Kathy Baker, Apprenticeships and Traineeships for 16-19 year olds: Commons Education Committee, LGiU, 30/04/15](#)