

Policy Inform: Environment

July 2016

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Introduction

Wirral Plan:

The Wirral Plan: A 2020 Vision sets out a shared partnership vision to improve outcomes for Wirral residents. The Plan focuses on three key priority areas: People, Business and Environment.

The Wirral Plan Environment Priority states:

“Wirral has an attractive and sustainable environment, where good health and an excellent quality of life is enjoyed by everyone who lives here.”

Environment Policy Briefing:

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

The following table outlines the timetable for the preparation and reporting of policy briefing papers:

Overview and Scrutiny Committee Briefings	
July 2016	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.
September 2016	The second policy briefing will be produced in September; it will provide an update on policy and legislation and will focus on Wirral Implications relevant to the government’s programme of legislation as outlined in the previous policy briefing.
January 2017	The third policy briefing will focus on the Autumn Statement and the Spending Review which sets out how Government money will be allocated. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
May 2017	The fourth policy briefing will focus upon the 2017 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 focuses on the policies and legislation that have emerged from the Queens speech, which was delivered on 18th May 2016. This policy briefing focuses specifically on policies and legislation relating to the Environment Priority.

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.

Queen's Speech 2016- Designation to Overview and Scrutiny Committees

On Wednesday 18th May 2016, the Queens Speech was delivered, outlining the Government's programme of legislation and policies for the coming year. Below is a list of each individual Bill which will have implications for local government that was announced during the speech, including those Bills carried over from the 2015-16 session. The list identifies the Overview and Scrutiny committee with whose remit the legislation most closely aligns:

Legislative Plans	Overview and Scrutiny Committee
Neighbourhood Planning and Infrastructure Bill	Business and Environment
Bus Services Bill	Business
Local Growth and Jobs Bill	Business
Digital Economy Bill	Business
Modern Transport Bill	Business
High Speed Rail Bill	Business
Better Markets Bill	Business
Children and Social Work Bill	People
Education for All Bill	People
Higher Education and Research Bill	People
National Citizen Service Bill	People
Finance Bill	People and Business
Policing and Crime Bill	People and Environment
Soft Drinks Industry Levy	People and Environment
Lifetime Savings Bill	People and Environment
Prison and Courts Reform Bill	Environment
Investigatory Powers Bill	Environment

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 Overview and Scrutiny Committee as appropriate.

Additional Legislative Plans
Wales Bill
Bill of Rights
Criminal Finances Bill
Counter-Extremism and Safeguarding Bill
Cultural Property (Armed Conflicts) Bill

Small Charitable Donations Bill
NHS (Overseas Visitors Charging) Bill

The Bills relevant to the Environment priority are discussed in further detail in this paper.

Queen's Speech 2016- Emerging and Ongoing Legislation

Neighbourhood Planning and Infrastructure Bill

"To support the economic recovery, and to create jobs and more apprenticeships, legislation will be introduced to ensure Britain has the infrastructure that businesses need to grow."

Synopsis and Key Points:

- **Synopsis:**

- The Neighbourhood Planning and Infrastructure Bill will reform planning and give local communities more power and control to shape their own area so that we build more houses and give everyone who works hard the chance to buy their own home.

- **Key Points:**

- The Bill will include measures to reform and speed up the planning process by minimising delays caused by pre-commencement planning conditions.
- A new statutory basis will be introduced for the independent National Infrastructure Commission, to help invest in Britain's long-term future.
- Processes will be streamlined to support neighbourhoods to come together to agree plans that will decide where things get built in their local area.
- The compulsory purchase order process will become clearer, fairer and faster for all those involved. Including reform of the context within which compensation is negotiated.
- New legislation will enable the privatisation of Land Registry, which will support the delivery of a modern, digitally-based land registration service that will benefit the Land Registry's customers.

Policing and Crime Bill

“Strengthen the capability and accountability of the police service in England and Wales.”

Synopsis and Key Points:

- **Synopsis:**

- The Policing and Crime Bill will carry over from the previous Parliamentary session. The Bill will continue the reform of policing, reforming out-of-date complaints and disciplinary procedures, and increasing public confidence in the police.

- **Key Points:**

- The Bill will include a new duty on all 3 emergency services to collaborate, to improve efficiency and effectiveness.
- New authority will enable Chief Officers to designate wider powers on police staff and volunteers, so they can make best use of their workforce.
- The use of police cells as places of safety for under-18 year-olds in a mental health crisis will be banned.
- A stronger oversight role will be introduced for PCCs over local complaints, giving them an explicit responsibility for ensuring the effective and efficient delivery of the local police complaints system, and extending HM Inspector of Constabulary’s remit to enable it to inspect private contractors.
- Both the current police complaints system and police disciplinary system are too complex and lack transparency. The Bill would simplify the complaints system and make reforms to the disciplinary regime to increase transparency and independence.

Further Detail:

- The Policing and Crime Bill was given a formal First and Second reading (no debate) on Thursday 19 May 2016 to reintroduce it in the 2016-17 session of Parliament. The Bill will be restarted at the point it reached in the last session.

Soft Drinks Industry Levy

"A soft drinks industry levy to help tackle childhood obesity."

Synopsis and Key Points:

- **Synopsis:**

- A new soft drinks industry levy will be introduced in the Finance Bill 2017 targeted at producers and importers of soft drinks that contain added sugar from April 2018.

- **Key points:**

- The legislation will encourage companies to reformulate by reducing the amount of added sugar in the drinks they sell, moving consumers towards lower sugar alternatives. Under this levy, if producers change their behaviour, they will pay less tax.

Revenue from the levy will be invested to:

- Double the primary school PE and sport premium from £160 million per year to £320 million per year from September 2017 to help schools support healthier and more active lifestyles.
- Provide up to £285 million a year to give 25% of secondary schools increased opportunity to extend their school day to offer a wider range of activities for pupils, including more sport.
- Provide £10 million funding a year to expand breakfast clubs in up to 1,600 schools starting from September 2017.

Further Detail:

- This levy is the first step in this Government's comprehensive national childhood obesity strategy that will be published in full later this year. A consultation will be held in due course on the technical details of the tax.

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- **Duncan Selbie, Chief Executive of Public Health England, said:**

"A levy or tax was 1 of 8 recommendations from PHE's evidence review on sugar reduction and is a stunning early indication of the Government's commitment to reducing child obesity."

Lifetime Savings Bill

“Help the lowest-income families save, through a new Help to Save scheme, and to create a Lifetime ISA to help young people save for the long-term.”

Synopsis and Key Points:

- **Synopsis:**

- The Lifetime Savings Bill will help people to save and make plans for the future, and build the financial resilience and security of people across the country – especially the young and those on low incomes.

- **Key Points:**

- The Bill will enable the Government to create a new Help to Save scheme, which will help those from low incomes build up their savings.
- Under the Help to Save scheme, workers in receipt of working tax credits or Universal Credit who save up to £50 a month will receive a Government bonus of 50% – to a maximum of £600 – after two years.
- It will also enable the Government to create a new Lifetime ISA for adults under 40, with a Government top up bonus of 25% on all savings up to £4,000 a year.
- Lifetime ISA account holders could access some or all their funds to buy their first home (worth up to £450,000), or from age 60 without charge.

Prison and Courts Reform Bill

“Reform prisons and courts to give individuals a second chance.

Old and inefficient prisons will be closed and new institutions built where prisoners can be put more effectively to work.”

Synopsis and Key Points:

- **Synopsis:**

- The Prison and Courts Reform Bill will bring about the biggest reform of our prisons since Victorian times, ensuring they are not just a place of punishment but also rehabilitation, so everyone has the chance to get on the right track.

- **Key Points:**

- New powers for Prison Governors to allow them unprecedented levels of control over all aspects of prison management.
- Governors will also be given the freedom to drive a revolution in education, training, healthcare and security for prisoners to reduce re-offending and improve life chances for all.
- New freedoms will be backed with a new regime of openness as prisons are required to produce statistics on areas such as prisoner education, reoffending and employment on release.
- New performance measures will assess prisons’ current performance, long term direction and progress.
- Measures will be introduced to meet the Government’s manifesto commitment to modernise the Courts and Tribunals service, reducing delay and frustration for the public.

Further Detail:

- On 18th May 2016, the country’s first autonomous reform prisons were announced. The announcement included sites in London, the East Midlands and North-East, including one of Europe’s largest prisons – HMP Wandsworth – meaning that more than 5,000 offenders will be housed in reform prisons by the end of this year.
- These new freedoms for Prison Governors sit alongside the government’s commitment to replace decrepit, ageing prisons with modern establishments suitable for the needs of prisoners today – to be built with £1.3 billion of investment announced at the Spending Review.
- More autonomous reform prisons will follow later this Parliament. And the 9 new-build prisons announced at the Spending Review will be established with similar freedoms.
- On 18th May the government also published ‘Dame Sally Coates’s review of education in prisons’, commissioned by the Justice Secretary. Alongside new Teach First-style programmes in prison, this will recommend robust learning plans to track individuals’ progression, and allowing governors to fund more stretching education programmes.

Investigatory Powers Bill

“Modernise the law governing the use and oversight of investigatory powers by law enforcement, security and intelligence agencies.”

Synopsis and Key Points:

- **Synopsis:**

- The Investigatory Powers Bill will carry over from the previous Parliamentary session. The purpose of the Bill is to modernise the law and ensure it is fit for purpose in a digital age, and introduce enhanced authorisation and oversight arrangements. The Bill will also ensure the police and security and intelligence agencies have the powers they need to continue to protect the British public from the many threats we face, while building confidence in the public that powers are operated sensibly.

- **Key Points:**

- New legislation will plug gaps in the abilities of law enforcement agencies to monitor people’s online communications when investigating crime or terrorism.
- Tough new safeguards will be introduced for the use of investigatory powers.
- The Bill will also establish a world-leading oversight regime of law enforcement agencies and the security services.

Further Detail:

- The Investigatory Powers Bill was given a formal First and Second Reading (no debate) on Thursday 19 May 2016 to reintroduce it in the 2016-17 session of Parliament. The Bill will be restarted at the point it reached in the last session.

Recent National Legislation

Housing and Planning Act 2016

Synopsis:

Synopsis:

The Housing and Planning Bill received Royal Assent on 12 May 2016 and is now an Act of Parliament.

The Housing and Planning Act will give hard working families every opportunity to own their own home. It will also give house builders and decision-makers the tools and confidence to provide more homes and further streamline the planning system to accelerate their delivery. Measures include underpinning the voluntary Right to Buy agreement with housing associations, tackling rogue landlords and speeding up the neighbourhood planning process.

Further Detail:

- The Housing and Planning Act 2016 consists of 8 parts:
 1. New Homes in England
 2. Rogue landlords and letting agents in England
 3. Recovering abandoned premises in England
 4. Social housing in England
 5. Housing, estate agents and rent charges: other changes
 6. Planning in England
 7. Compulsory purchase etc.
 8. General

The legislation of the Act will take effect at different times.

Immediate:

- Regulations to allow for pilot schemes to be set up to test the use of competition from alternative providers for processes planning applications.
- Setting timescales for neighbourhood planning decisions.
- Requiring councils to keep registers of certain types of land (brownfield).

Two months after Royal Assent:

- Permission in principle.

Beyond two months:

- Most of the other elements of the Act will come into force later in the year, and will be specified in future regulations yet to be published.

Energy Act 2016

Synopsis:

Synopsis:

The Energy Bill received Royal Assent on 12 May 2016 and is now an Act of Parliament.

The Energy Act will bring new powers for the Oil and Gas Authority (OGA) to better support North Sea industry; make local communities the primary decision makers on new onshore wind developments; and bring forward the closure of costly subsidies for new onshore wind developments across Great Britain.

Further Detail:

• **Secretary of State for Energy and Climate Change Amber Rudd said:**

“The Energy Act is a vital part of our plan to ensure our families and businesses have access to secure, affordable and clean energy supplies they can rely on, while keeping bills down.

“By strengthening the Oil and Gas Authority and giving it powers to drive greater collaboration and efficiency in the industry, this Act shows that the broad shoulders of the UK are committed to helping our oil and gas industry attract investment, support jobs and remain competitive for the future.”

Sources

Queens Speech

[Queen's Speech 2016: what it means for you, Government website, 18th May 2016](#) – *Outlines the Bills announced in the Queens Speech 2016*

[Queen's Speech: 18th May 2016, LGiU, 18th May 2016](#) – *An explanation of the Bills announced in the Queens Speech 2016*

[Queens Speech 2016: background briefing notes, Government website, 18th May 2016](#) – *More detailed briefing notes on the Bills announced in the Queen's Speech 2016*

Policing and Crime Bill

[Policing and Crime Bill 2016, Parliamentary website](#) - *Previous debates on all stages of the Policing and Crime Bill and any latest updates*

Soft Drinks Levy

[Queens Speech 2016: background briefing notes, Government website, 18th May 2016](#) – *Details an upcoming national childhood obesity strategy*

[Levy on high sugar drinks: PHE statement, Government website, 16th March 2016](#) – *Public Health Statement on the announcement of a sugary drinks levy*

Prison and Courts Reform Bill

[Biggest shake-up of prison system announced as part of Queen's Speech, Government website, 18th May 2016](#) – *Overview of the developments surrounding the Bill*

[Review puts education at heart of prison service, Government website, 18th May 2016](#) – *Outlines Dame Sally Coates's review of education in prisons*

Housing and Planning Act 2016

[Housing and Planning Act 2016, Parliamentary website](#) - *Previous debates on all stages of the Housing and Planning Act and any latest updates*

[Landmark Housing and Planning Bill receives Royal Assent, Government website, 13th May 2016](#) – *Outlines the Housing and Planning Act as it receives Royal Assent*

[Sheila Camp and Andrew Ross, Housing and Planning Act 2016, LGiU, 23rd May 2016](#) – Summary of the key provisions of the Housing and Planning Act

Energy Act 2016

[Energy Act 2016, Parliamentary website](#) - Previous debates on all stages of the Energy Act and any latest updates

[Greater security for North Sea Oil and Gas as Energy Bill becomes law, Government website, 12th May 2016](#) – Overview of the Energy Act

Policy Developments

[Briefing: Update on public health and planning: Spring 2016](#)

NHS England has announced the Healthy New Towns proposals it will support as part of its drive to tackle unhealthy environments. This announcement has put the link between planning and health back into the mainstream press.

This briefing outlines a number of initiatives and reports that highlight the link between health and planning:

- NHS Healthy New Towns demonstrator sites
- Building the Foundations: Tackling obesity through planning and development
- Tipping the Scales: Case studies on the use of planning powers to limit hot food takeaways.

Source: [Andrew Ross, Briefing: Update on public health and planning: Spring 2016, LGiU, 20th April 2016](#)

[Briefing: What's happening to air pollution policy?](#)

In 2015, the UK government was ordered by the courts to take urgent action to meet repeatedly missed European air pollution reduction targets, following legal action by Client Earth. Despite committing to being compliant by 2010, in 2013 194 of 375 local authorities failed to meet European mean air pollution limits.

In response to this legal request, 'Improving air quality in the UK – tackling nitrogen dioxide in our towns and cities' was released by the government in December 2015. The main announcement is the creation of five new clean air zones in some of the biggest cities in the country, to increase the speed of compliance. Other measures are listed, mostly voluntary, of relevance to other local authorities.

Source: [Steven Bland, Briefing: What's happening to air pollution policy?, LGiU, 21st April 2016](#)

[Briefing: Draft Cycling and Walking Investment Strategy](#)

The government has recently published a consultation on its draft cycling and walking investment strategy. The strategy sets out the Government's ambition and objectives for cycling and walking, the financial resources available to meet those objectives, and how the objectives will be delivered with governance arrangements.

The Government will be issuing guidance in summer 2016 on the preparation of the Local Cycling and Walking Infrastructure Plans and, among other things; the consultation seeks views on the

assistance that local authorities will need to deliver these plans. The deadline for comments is 23rd May.

[Source: Ruth Bradshaw, Briefing: Draft Cycling and Walking Investment Strategy, LGiU, 21st June 2016](#)

Briefing: The Culture White Paper

The Culture White Paper was published on 23rd March, acknowledging the importance of diversity and equality of access to cultural activities. It recognises that ‘resilience remains a key issue, particularly at regional and local levels’ and urges the development of business models and financial strategies to ‘deal with potential challenges to funding’. These models should draw from philanthropy, private donations, non-grant funding, and commercial revenues. A limited number of new initiatives include:

- A virtual Commercial Academy for Culture to support the extension of commercial expertise across the cultural sectors;
- A Cultural Citizenship Programme to give young people the best arts and cultural experiences;
- A Great Place scheme to be initially piloted in twelve areas including four rural ones, each based on ambitious local cultural strategies

[Source: Andrea Davies, Briefing: The Culture White Paper, LGiU, 21st June 2016](#)

Briefing: If it's broke, then fix it? Recent inquiries into the English Planning system

Two separate committees have called for an overhaul of the National Planning Policy Framework to ensure that the planning system is creating places where people can live well which will help address challenges such as climate change.

‘Building Better Places’ was launched on 19th February by the House of Lords and makes 66 recommendations. Many of them are relevant to local authorities, although the Lords make it clear that the national context needs overhaul as it is skewed in favour of short-term developer interests, which will lead to long-term costs for all.

The Committee on National Policy for the Built Environment and the Communities and Local Government Committee published its inquiry into the DCLG’s consultation on national planning on 1st April. One of the concerns expressed by the CLG Committee was the sheer amount of draft guidance and legislation that is targeted at reforming the planning system, mostly with the twin objectives of increasing speed and housing supply.

[Source: Andrew Ross, Briefing: If it's broke, then fix it? Recent inquiries into the English Planning system, LGiU, 21st June 2016](#)

Briefing: Place Based Health Step Forward Local Government

The health sector is developing a focus on place-based health and care systems that are organised around localities and community involvement. Council leaders and chief executives need to participate in this unfolding agenda so that a place-based approach reinforces and helps to meet local priorities, rather than creating fresh divisions.

Source: [Andrews Ross, Briefing: Place Based Health Step Forward Local Government, LGiU, 21st June 2016](#)

Briefing: Gardens and Health Implications for Policy and Practice

A new report, Gardens and Health, was commissioned by the National Gardens Scheme in 2015 and published by the Kings Fund in May 2016. Written by David Buck, Senior Fellow in Public Health and Inequalities at the Kings Fund, it looks at the impact of gardens and gardening on health and wellbeing. It explores what the NHS and wider health and social care systems (including local government players) can do to maximise positive impact.

The report aims to:

- Bring together evidence on gardens and wellbeing, looking at relationships to health across the life-course
- Demonstrate how gardening interventions have an importance place in the NHS and wider health and care systems
- Place 'gardens and health' in a strategic health policy content, with recommendations on how gardening can help achieve policy goals, nationally and locally

Source: [Carol Grant, Briefing: Gardens and Health Implications for Policy and Practice, LGiU, 21st June 2016](#)