

Lyons Inquiry into Local Government - Promoting economic prosperity: considering the implications of Eddington, Barker and Leitch

LACORS' comments from an Environmental Protection viewpoint

This response addresses the issues raised in the 'extension' of the Lyons Inquiry to include the Eddington, Barker and Leitch reports, in respect of environmental protection services carried out by Local Authorities. Although the headline issues may not appear to be about environmental protection (Eddington focuses on transport, Barker on planning and Leitch on skills) we believe that there are relevant points to be made.

Our comments are restricted to the relevant aspects of Eddington and Barker, arranged according to the questions raised in the Lyons Inquiry extension document:

Overall

If we assume that place-making includes managing the quality of the local environment, then it is clear that Local Authorities need greater powers to protect that environment. Air pollution and noise nuisance, for example, are commonly caused by road traffic and air traffic, but Local Authorities have little power to mitigate against these, as major roads and airports are under the control of other agencies. Furthermore, Local Authorities are often also unable to affect future development since major schemes are likely to be 'called in' at the planning stage and be determined by higher powers. This is set to increase if the recommendations of Barker are implemented, with the proposed Planning Commission handling major infrastructure applications.

Eddington Transport Study

Proposals to give Local Authorities extended powers over public transport (buses) are very welcome, but further powers are needed to tackle the problems of air pollution and climate change. Road traffic is the main source of air pollution for the majority of councils, but they have limited powers to reduce it in a meaningful way. Examples such as the proposed London Low Emission Zone are simply impossible to replicate in many urban areas.

Noise impact is also directly related to traffic volumes; again, often outside the control of local authorities. Traffic and road planning decisions should be made with reference to WHO noise guidelines and in consultation with council environmental protection services.

Revenues from local road pricing schemes can usefully be invested to make improvements in Air Quality Management Areas (AQMAs). This might include providing and promoting alternative means of transport. Examples include Park & Ride schemes, car clubs (subsidised or otherwise), travel plans and cycling and walking initiatives, as well as improved public transport – buses, trams and rail

services. Aside from the pure transport-planning issues, these are important elements of local strategies to reduce air pollution and to tackle climate change by reducing emissions of greenhouse gases. This is one of the most important issues facing local (and national) government and, without the necessary powers and funding, councils will face increasing difficulty in carrying out this role effectively.

Each of these initiatives would, of course, also contribute to economic development by reducing traffic congestion, as well as by improving the health and wellbeing of citizens.

Regarding bus powers specifically, Local Authorities must seize the opportunity to ensure that public service vehicles emit fewer air pollutants and greenhouse gases. The Mayor of London has taken a lead in this area and new powers for all councils must include powers to require bus operators to use clean and efficient technology wherever possible, to switch off engines when stationary and to train drivers in fuel-efficient driving techniques.

Barker Review of Land Use Planning

We would welcome local flexibility in any charging regime for derelict and brownfield land. Local authorities have a major role in identifying and ensuring the remediation of contaminated land – contributing enormously to the regeneration of many inner-city and urban areas in ex-industrial locations. Much of this land is remediated through the planning system, and encouraging land/site-owners to release land for redevelopment would accelerate this process. In areas of high demand (for land), local councils would welcome additional incentives that release more brownfield sites for development, reducing the need for ‘sprawl’ and development of greenfield (or even greenbelt) sites; local control of the charge enables these authorities to force the pace of change according to local needs.

Anecdotal evidence shows that applications for brownfield development in some areas have increased due to the lack of greenfield sites available (specifically, where the upper limit for greenfield developments, set in the local plan, has been reached). This is a regulatory pressure that has succeeded in bringing forward a number of marginal developments; any tax or charging scheme must achieve the same shift.

We propose that additional revenue from levying such a charge should be retained by the local authority and invested in enforcement of the contaminated land regime and brownfield regeneration strategies.

One of the implications of the recommended review of greenbelt land is that this land will be developed in preference to brownfield sites, since it will not require remediation and is therefore more profitable for the developer. This would result

in increased out-of-town/edge-of-town developments that generally require additional road building and greater car use. This has a detrimental effect for both the local environment and climate change. Furthermore, some local authorities, particularly urban councils, will see a drop in development, and therefore investment, since their boundaries include city centres and built-up areas but do not extend as far as greenbelt land; developers will choose to develop in the greenbelt areas, leaving these councils with derelict and brownfield sites that are no longer attractive to potential investors or developers. This may leave them with possibly contaminated sites that have little prospect of remediation through redevelopment.

There are some implications arising from the possible deregulation of minor planning applications. Although the impact of such developments may be insignificant once completed, it should be remembered that councils often place restrictions on developments during the construction stage, using planning conditions, which aim to minimise the nuisance caused to neighbours from dust, noise, smell etc. arising from the works, and also to prevent future nuisance from the development. If small developments no longer require planning permission, there may be no mechanism for such restrictions to be put in place resulting in many more nuisance complaints to Local Authorities and thus increasing their workload in this respect.

Annex 1

Questions for stakeholders

Overall

- Do local authorities have the powers they need to effectively undertake their place-shaping role, particularly with regard to pursuing economic prosperity?
- How do the issues raised by the three reviews, and the implications of their recommendations, vary between different parts of the country and different kinds of place, for example between rural areas and major cities?
- Are there any other aspects of these reviews relevant to local authorities and to their place-shaping role that I have not identified? If so, what are they and what are their implications?

Eddington Transport Study

Governance

- Can local authorities work effectively in partnership to deliver transport outcomes or are new/reformed institutions necessary?
- What are the key behaviours required of local authorities to work in such partnerships? Would new institutional or contractual arrangements be needed to support them?
- Do the issues not considered by Eddington – particularly the potential benefits of aligning transport with other policy powers – alter the best overall design for governance arrangements?
- How could local government make use of any new bus powers in line with its broader role in promoting economic development?

Convening

- How can local authorities make the links between transport and other elements of economic development and quality of life most effectively at the local level?

Funding

- How could current funding arrangements best be reformed to support cost effective and appropriate spending and investment decisions at sub-national level?
- What transport funding sources are most appropriately managed by local bodies? What would be the most appropriate incentives to encourage the adoption of demand management options at a local level?
- Local authorities currently retain the revenues from local road pricing schemes. How might further developments in this area affect the use of those revenues?

Barker Review of Land Use Planning

Governance

- What specific measures are needed to ensure that local planning authorities have appropriate flexibility over issues of solely local impact? Are there particular implications from the Review's recommendations on the use of green belt land?
- What different approaches could be taken to enable strategic decisions to be taken at an appropriate spatial level? Can local authorities work effectively in partnership across wider areas to do this or are new/reformed institutions necessary?
- What role should local authorities have in relation to a future independent Planning Commission, and how should they best work with local communities on their concerns and potential benefits?

Convening

- How can local authorities link work on planning, housing and transport issues together most effectively?

Funding

- What would be the most effective and practical means of creating incentives for local authorities to support appropriate growth?
- How should the empty property relief in business rates be reformed? How should a charge on vacant and derelict brownfield land be introduced into the existing local land and property tax system? Would any local flexibility on such measures be desirable?