

# Friends of the Earth

## Strengthening Local Democracy Consultation July 2009 – Communities and Local Government

### Introduction

Friends of the Earth welcomes the Department for Communities and Local Government *Strengthening Local Democracy* consultation. We think local government has a crucial role to play in delivering carbon dioxide emissions cuts. Some exemplary action on climate change is happening at a local level, but all local authorities must take their share responsibility if we are to meet the national targets set by the Climate Change Act, and to avert dangerous climate change.

This document is Friends of the Earth's initial comment on the content of the consultation. We will produce a fuller response nearer the 2 October consultation deadline.

### Strong local democracy

We welcome the Government's commitment to strong local democracy. We agree that there is also a stronger role for scrutiny and accountability over arrangements such as Local Area Agreements which are not populated by directly elected councillors, but play an essential role in delivery. We are concerned that the Local Democracy, Economic Development and Construction Bill which contains new arrangements for local government does not adequately reflect these commitments.

We are also concerned that the imperatives outlined - strengthening democracy, promoting greater value for money, promoting economic development and delivering personalised services - do not reflect the UK's Sustainable Development Strategy commitment adequately.

Key to the imperatives for local government are the principles outlined within the strategy:

- Living Within Environmental Limits: Respecting the limits of the planet's environment, resources and biodiversity – to improve our environment and ensure that the natural resources needed for life are unimpaired and remain so for future generations.
- Promoting Good Governance: Actively promoting effective, participative systems of governance in all levels of society – engaging people's creativity, energy, and diversity.
- Achieving a Sustainable Economy: Building a strong, stable and sustainable economy which provides prosperity and opportunities for all, and in which environmental and social costs fall on those who impose them (polluter pays), and efficient resource use is incentivised.
- Ensuring a Strong, Healthy and Just Society Meeting the diverse needs of all people in existing and future communities, promoting personal wellbeing, social cohesion and inclusion, and creating equal opportunity for all.

### Local Government and Climate Change

We welcome the Government's commitment to helping local government to go further, and agree that the challenge of climate change should be top of agenda.

The Local Government Association's own Climate Change Commission's report sees a large role for local authorities in tackling climate change – "individual councils cannot opt out of tackling climate change". It also recommends the following (p.20):

*Government must take the opportunities afforded by the legislative programme to strengthen the statutory underpinning for local government action.*

Furthermore the Government has stated in its response to the Environmental Audit Committee's Eighth Report (2008) that "*local authorities should take into account the need to tackle climate change at all levels of decision making and in the delivery of their functions*".

### **Responsibility must lie with all local authorities**

Unfortunately, only a few authorities are taking effective action, and this action is often limited to specific areas. The recommendations of the EAC Report with regard to climate change and local government, stress that national policy must be consistent and that incentives and encouragements should be reassessed in order to overcome barriers to action. The report also supports the introduction of targets on climate change for local authorities (recommendation 6), and for the obligation to include climate change targets in Local Area Agreements. The Environmental Audit Committee agrees with the LGA's Climate Change Commission report in that it also recommends that (recommendation 16):

*The Government should examine carefully the case for improving the statutory underpinning for action on climate change; each new bill should be examined to see what scope there is for requirements on local, regional and devolved government to be inserted in order to focus attention and increase activity.*

Key to delivery in this area is a requirement that **all** local authorities must act on climate change. At the moment a few authorities are taking action in a few areas – for climate change to properly be addressed, we need all local authorities to address climate change, and bring leadership to transforming housing, transport and energy locally.

Government's national climate change and renewable energy targets will simply not be met by a piecemeal approach from local authorities. In addition, the majority of the public (LGA opinion poll) agree that climate change should be a priority for local government. It is essential that disparity in action does not occur, as this is likely to impact those most vulnerable, increasing living costs and future adaptation costs for those communities lagging behind in action.

### **Mechanism for incentivising action**

We welcome proposals for mechanisms for local authorities to be incentivised to take action to reduce carbon emissions. This signals the government's recognition of the key role of local authorities in tackling climate change.

Setting budgets can also be seen as setting short-term targets. Indeed the national Climate Change Act is structured with 2020 and 2050 targets informing the setting of 5 year carbon budgets – which themselves have imbedded indicative annual range targets. Short term targets should apply to all local authorities and should set a requirement for the level of emissions cuts in the Local Authority area. The importance of short term targets is that they address the issue of cumulative emissions, and start to drive action now.

Within a budget system, Friends of the Earth opposes carbon offsetting (buying carbon credits instead of making the cuts locally) or trading of carbon between Local Authorities and other bodies (including the private sector or internationally). With regard to this, we have a particular concern (also raised with us by local authorities directly) on the implementation of the Carbon Reduction Commitment. Local authorities have expressed concern over access to data (e.g. schools data), access to the investment they require, and the real possibility that the private sector will be able to move much faster given their access to investment, and therefore a politically untenable situation may arise where the retailers and banks are benefiting from the barriers that local authorities face at the moment.

### **Ambition of emission cuts**

National and local government need to cut emissions with the level of ambition set by the scientific evidence of what is needed. National government has committed to strengthening the 2020 target following a deal at Copenhagen, in line with the Committee on Climate Change's advice. The CCC has already indicated the new target should be in the vicinity of 42% cut in greenhouse gas emissions by 2020. We have evidence<sup>1</sup> that this scale of ambition (at least 40% CO<sub>2</sub> cuts by 2020) is achievable by different Local Authorities with national support, and that some could achieve more. We think that the targets or budgets however allocated should reflect this level of ambition.

### **Information and local climate change action plans**

All local authorities need better information on which to base plans to cut emissions, and should be required to collect specific local data. Evidence bases on climate change should include mitigation and adaptation data, as well as specific data on resources such as renewable energy.

All local authorities need integrated high level (or at the highest level) climate change action plans to roll out policies and services to cut emissions in their area.

### **Housing**

We welcome the proposal for a new role for local government in co-ordinating funding streams to support low carbon activity in local areas. We particularly think that the example of Kirklees' retrofit programme should be emulated across all local authorities.

### **Energy**

We support the proposals for innovative financing for energy efficiency and renewable energy, to be offered by local authorities. Local authorities should be drivers in local energy supply development, and loans for investment, as well as mechanisms for setting up local authority ESCOs are key to developing more decentralized, secure and resilient low carbon and renewable energy networks.

We agree that changes are required to help to require existing as well as new developments to connect to heating schemes.

### **Transport**

We welcome that the document recognises the importance of "challenging local authorities [to] make the contribution we are asking from them in delivering the low carbon transport strategy" (#141). The urgent need for local action on climate change logically requires local transport policy and infrastructure to lead to reductions, not increases, in carbon emissions. Such "challenge" should therefore mean central Government insisting that all local transport plans – currently being drafted by local transport authorities – are rigorously appraised for carbon impact and, crucially, any that would lead to an increase in local emissions from transport are rejected. Yet this jars with current DFT policy, which specifically rules out central rejection of LTPs based on their carbon impact – an anomaly in the guidance to local authorities which must be corrected.

Proposals for increased powers for local scrutiny of public transport providers are also welcome. In particular we believe this could be very relevant to local bus services, which are usually run by private operators to highly variable standards. Increased scrutiny will of course be far more useful if accompanied by powers to

---

<sup>1</sup> Pathways to 40% [http://www.foe.co.uk/community/campaigns/climate/pathways\\_to\\_40\\_percent\\_21002.html](http://www.foe.co.uk/community/campaigns/climate/pathways_to_40_percent_21002.html)

influence that which is being scrutinized; this underlines the need for more local authorities to use the powers within the Local Transport Act 2008 to introduce quality contracts or statutory partnerships with bus operators to retake control over local bus provision and operation.

We agree with the principle of giving more power to groups of local authorities to address transport issues. Travel patterns do not necessarily respect local authority borders. But it is vital that with any expansion of power local people can retain the ability to hold their transport authorities to account.

### **Planning policy statements**

Friends of the Earth is in a coalition with TCPA and many other organisations drafting a position statement on the need for a new, more prescriptive Planning Policy Statement on climate change and renewable energy. This will be presented to Government in early October. In particular the position statement recommends obligatory renewable energy targets to help deliver on the EU Renewable Energy target as local authorities play a key role in plan-making and consenting around renewable energy development.

Planning policy on transport should also be updated. Spatial planning is particularly important. The last twenty years have seen developments which have centred around the use of the private car: the next twenty years must reverse this trend. Planning policy must be used to reduce the need to travel and to encourage use of low carbon modes. Decisions about the location of development should be subject to a 'transport carbon test', with developments which increase car journeys or local mileage being rejected. Local authorities must also make full use of their powers under section 106 of the Town & Country Planning Act 1990 to secure developer contributions to the provision of public transport and facilities for walking and cycling, with all the benefits to the local community they would bring.

Faster implementation of the code for sustainable commercial buildings and a strengthening of the code for sustainable homes would help to deliver on climate change targets for local authorities.

### **Local Government Performance Framework**

We support the Environmental Audit Committee and LGA Climate Change Committee's recommendation that NI 186 is made mandatory. We believe that short term targets, and an incentivised performance framework – with a specific ring-fenced grant for climate change delivery – are essential to drive action on climate change. We support the addition of a renewable energy indicator to incentivise performance on renewable energy development – particularly as there is a gap on this in NI 186.

### **Local Democracy, Economic Development and Construction Bill**

Friends of the Earth is concerned that the Local Democracy, Economic Development and Construction Bill creates a plethora of new ways of working for authorities e.g. Economic Prosperity Boards, which will serve to confuse lines of accountability, and to further disempower the public.

The proposals for Economic Prosperity Boards and their narrow remit to deliver on economic development while delivering on local authority functions is extremely concerning. A local authority has a democratic mandate to perform its functions. Under this Bill, the Secretary of State is given a centralising power to transfer local authority functions to Economic Prosperity Boards. Local authority functions, including land-use planning, would suffer lack of credibility and accountability. Most importantly, it would change the nature of planning to deliver solely on economic development rather than sustainable development including social, environmental and economic issues. This would also severely reduce local authorities' role as democratically accountable place-shapers.

The Government's purpose in setting up these boards seems to directly contradict its own vision of local authorities' role as key in delivery on climate change. Friends of the Earth think these boards should either be scrapped entirely.

-Ends-

---

For further information contact:

Naomi Luhde-Thompson

Friends of the Earth

Tel: 020 7490 1555

To receive a copy of our final submission to the Department for Communities and Local Government *Strengthening Local Democracy* consultation, please email: [naomi.luhde-thompson@foe.co.uk](mailto:naomi.luhde-thompson@foe.co.uk)

For more information on our GSAC02 campaign please visit [www.foe.co.uk](http://www.foe.co.uk)