

Powers in Place:

Political
Briefing

The handbook of local
authority Net Zero powers

April 2023

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Researched and produced by Quantum Strategy & Technology Ltd. for UK100



About UK100:

UK100 is a network of local leaders who have pledged to lead a rapid transition to Net Zero with Clean Air in their communities ahead of the government's legal target.

About Quantum:

Researched and written by Gill Fenna and Louise Marix Evans of Quantum Strategy & Technology - a sustainability and climate change consultancy with over 25 years' practical experience of supporting public, private, voluntary & community and academic sectors to take action to mitigate and adapt to climate change. Quantum has worked with local authorities across the UK to tackle climate change through training and facilitation, briefings and guides, developing strategies and action plans and in engaging with communities and businesses.

“We currently have a situation where local powers to achieve Net Zero are theoretical rather than actual. Local authorities are achieving enormous change despite, not because of, the regulatory framework and the reluctance to resource them adequately to meet the challenge of climate change.

Not only has a reduction in local authority funding over more than a decade impacted on capability and capacity at local level, there is also a problem with national frameworks limiting the ability of local authorities to use their powers effectively. This needs to change.”

- **Jason Torrance,**
- **Interim Chief Executive, UK100**

Powers in Place: Executive Summary

In its landmark Net Zero Strategy¹ in 2021, the UK Government recognised that 82% of UK emissions are “within the scope of influence of local authorities”, yet local leaders are still waiting for the powers and resources they need to deliver on their ambitions.

Mission Zero: Independent Review of Net Zero by MP Chris Skidmore published in January 2023 identifies Net Zero as the “growth opportunity of the 21st century”. It highlights that the benefits are greater if we act faster on decarbonisation; risk of delay is significant, and **local areas are hampered** from going as fast as they want to, in part due to lack of policy clarity, infrastructure bottlenecks or delays in the planning system.

Powers in Place considers the powers that local authorities have to deliver Net Zero in their places, and whether they can deploy these powers effectively to create change.

It finds that local authorities are hamstrung by:

- **A lack of a defined role** in Net Zero Delivery
- **A policy and strategy ecosystem and framework** that fails to enable and support local delivery.
- **Conflicting remits of public agencies** which prevent ambitious authorities from delivering their aims.
- **Insufficient funding and resources** to develop the capacity to enable this transformative shift; funding streams are inequitably and competitively distributed and rarely long-term.

The conclusion is clear: despite the progress of a handful of trailblazers, **local authorities are still waiting for Government to put the necessary resources and powers in place** to deliver on their Net Zero ambitions

To capitalise on progress and to address the critical gaps still hampering local Net Zero delivery, this report makes **three key recommendations**:

- 1** The UK government should introduce a **Net Zero Local Powers Bill** that permits and obliges the relevant levels of local authorities to deliver an effective pathway to Net Zero.
- 2** A Local-National **Net Zero Delivery Framework** should be co-designed between local authorities and the UK Government, overseen by a National Net Zero Delivery Unit.
- 3** Ministers should **end competitive short-term funding** and replace it with strategic, needs-based, long-term funding.

The powers and duties proposed in this report must be supported by adequate resource and capacity building if they are to have any impact, and underpinned by a structure of supportive national policies. Empowering local government will help the whole country to achieve Net Zero faster, better and more cost-effectively.

¹ <https://www.ukri.org/wp-content/uploads/2022/03/IUK-090322-AcceleratingNetZeroDelivery-UnlockingBenefitsClimateActionUKCityRegions.pdf>



As well as the key recommendations above, Powers in Place makes a series of priority recommendations for sector-specific local authority actions on Net Zero in transport, buildings, energy and waste. To achieve these recommendations, some underpinning powers will be needed:

Key supporting policy, frameworks and resources that are required from national government to underpin local authority powers:



Transport

- Revision of the Department for Transport WebTAG model to remove the factors that favour road projects and increase the value of traffic reduction, active travel and health impacts and allow alternative justifications for funding schemes that contribute to the Net Zero target
- Moving from competitive funding to providing support for all areas
- Allocate more funding to active travel and public transport
- Develop and deliver a strategy for Rural Mobility
- Revise the role of Traffic Commissioners
- Revise the process for Traffic Regulation Orders to make them less cumbersome and expensive to set up
- Review support for local transport authorities to enable them to form successful Enhanced Partnerships and, where suitable, establish bus franchising
- Introduce requirements to address local area-wide air quality, traffic reduction and emission targets into National Highways' remit
- Powers to require private companies and other organisations to cooperate with local authorities on delivering area-wide emissions reductions
- Resources to enable and increase joint working across departments, authority areas and organisations, alongside increases in transport planning capacity and guidance
- Strengthen policy in the National Planning Policy Framework to require sustainable transport contributions to be part of an area-wide transport emissions reduction plan.



Buildings

- Provide training for the Planning Inspectorate in climate change and Net Zero buildings and planning policy.
- Rapidly introduce zero carbon building standards for all buildings, and apply the proposed “in operation” energy and carbon performance requirement to homes as well as non-domestic buildings.
- Embed a requirement for local planning authorities to prioritise The Climate Change Act in Planning Policy.
- Revise the maximum permitted local authority uplift on Building Regulations in the Planning and Energy Act 2008 and revoke the Written Ministerial Statement of 25th March 2015
- Extend Minimum Energy Efficiency Standards to cover all buildings at the point of sale, change of use, and major renovation or refurbishment.
- Set up long term and flexible funding schemes for landlords, private householders and businesses to enable them to meet improved Energy Performance Certificate requirements.
- Introduce mandatory landlord licensing and a national database of EPCs for tenanted properties: with a requirement to supply information back to local authorities
- Revise the EPC system to better reflect in-use energy performance and to be appropriate for all different building types.
- Expand research to define a set of measures that are appropriate for all different housing types including traditional buildings, based on evidence from building types across the UK
- Support the training providers and the construction industry to rapidly invest in skills and capacity to deliver zero carbon buildings and install appropriate retrofit measures to existing buildings without harming the building fabric.



Energy

- A formal power to determine and govern Local Area Energy Plans, with a wider remit than just heat zone coordination.
- The power to coordinate the identification and delivery of Heat Network Zones and require buildings to connect to district heating schemes in identified heat network zones.
- Power to override national constraints on energy technology deployment such as on-shore wind (i.e. withdraw 2015 Ministerial Statement) when supported by local evidence, either in a LAEP or separately.
- A cost-effective system to fund and develop LAEPs supported by resources to share learning and data; this should not be competitive between local authorities as that impedes cooperation and learning
- Policy from Ofgem for a defined role in governance and management of local energy systems and supporting LAEP standards
- A requirement and appropriate mechanism to incorporate LAEPs into ongoing District Network Operators business plans, to enable and provide a fair long-term distribution of upfront infrastructure costs needed to deliver Net Zero

- Supporting policy in the NPPF to ensure that every area is covered by a Net Zero LAEP, including the removal of the viability constraint, alongside guidance relevant to different area types
- A significant increase in funding local energy infrastructure planning and delivery including where this investment may not provide a revenue stream for a significant time
- Staff resource and training in energy systems and energy markets to build local authority capacity and enable local authorities to be 'good clients' and effective project coordinators
- Elected Member training for Members on Planning Committees and Scrutiny Committees
- Resources and guidance for public engagement on the Net Zero energy transition and what it will mean for local residents and businesses, to build up awareness and engagement on likely options for local areas
- Planning policy reform to put Net Zero at the heart of decision making: allowing climate change impacts to override other issues
- Enable local authorities to refuse fossil fuel-based proposals without the expectation of their decision being overturned on appeal



Waste

- Extending work on producer responsibility and circular economy to reduce waste at source
- Increasing resources to support behaviour change on waste reduction and recycling
- Improve waste and recycling data including for the commercial sector
- Taking prompt decisions to give local authorities time to implement changes without incurring additional contractual costs



