

Extracts from the DCLG report, *Sustainable Communities Act 2007: Decision on proposals submitted following the 2008 invitation* related to proposals submitted by Brighton & Hove City Council.

1. Requests within proposals that the Secretary of State will implement

Proposal	Government response
<p>Renewable Energy (part 1)</p> <p>Introduce feed-in tariffs</p>	<p>“The Government supports the principle of extending financial incentives for local renewable energy generation. We are replacing the Low Carbon Buildings Programme with new incentive schemes. Feed-in tariffs were introduced in April 2010 to support small scale renewable electricity generation. In order to increase awareness and understanding of the opportunities that all renewable and low carbon energy offers, and to help organisations access support available under feed-in tariffs and other mechanisms, the Government is developing an online portal for local authorities and communities, Community Energy Online. This will provide a comprehensive guide to designing and delivering low carbon community scale energy infrastructure.</p> <p>The Government has considered whether it is feasible to make national funding available for setting up new Energy Saving Companies. However, in light of the spending review, and as they cover a wide range of business models for the supply of energy services, including private sector only models, we believe loans and financial payments would not be appropriate. For public sector partners especially in the local authority it would be an appropriate use of Salix to support this kind of initiative”.</p>
<p>Business rates</p> <p>That national government introduce a business rates local protection scheme which gives councils the authority to offer discretionary business rate relief to encourage and sustain small and medium local businesses.</p>	<p>“The Government will create in the Localism Bill a framework of powerful incentives for local authorities to deliver sustainable economic development, including wide-ranging powers for local authorities to offer local discounts on business rates”.</p>

2. Requests the Government will help councils to implement themselves, or explore further

Proposal	Government response
<p>Local food production</p> <p>Change the Allotment Act to enable the sale of grown produce to allow holders to sell their surplus product to local shops.</p>	<p>“An allotment garden must, by definition, ‘be wholly or mainly cultivated for production of vegetables or fruit crops for the consumption by the occupier or his family’. A change in the law is not required as there is no legal restriction on allotment holders selling genuine surplus product to local shops, but we would be happy to discuss this further with Brighton”.</p>
<p>Housing</p> <p>National Government remove pooling regulations for Right To Buy capital receipts and release future and accumulated capital receipts from the sale of council housing to the control of Local Authorities to be administered as they see fit, but especially to build new stock and renovate existing stock.</p>	<p>“The Government confirmed in the spending review that pooling of Right-to-Buy receipts will continue for the Spending Review period. Recent provisions have allowed authorities to retain receipts from dwellings built or acquired after July 2008, as well as receipts arising from Social Homebuy disposals and we can discuss with the councils how they may be able to do this. We are considering the impact on HRA reform and will announce full details of this shortly”.</p>

3. Requests within proposals which will not be implemented

Proposal	Government response
<p>Transport</p> <p>Devolve power to local authorities to set vehicle speed limits on public roads at any maximum below existing regulations (20mph), according to local needs, in order to encourage safer and more people friendly streets where appropriate.</p>	<p>“The Government is unable to implement this proposal as speedometers are not required to be accurate under 20mph. Drivers may not know, therefore whether they were breaking the speed limit. The Government believes that it would be impossible to enforce, and may have potential Human Rights implications”.</p>
<p>Planning</p> <p>Change national planning policy to explicitly support localised food systems.</p>	<p>“This proposal cannot be delivered through the planning system. In essence, it would require the planning authority to seek to assess and control the contractual relationships between a retailer and their suppliers. This is not a planning matter and, in many cases, would not even be in place when the planning application is made and may change over time”.</p>

<p>Waste and recycling</p> <p>Introduce legislation that requires supermarkets to:</p> <ul style="list-style-type: none"> • reduce the amount of non-recyclable materials that are used in food packaging • provide facilities to collect a range of materials • recycle wherever possible or bear the cost of landfill for the waste. 	<p>“The Government encourages supermarkets to take greater responsibility for the waste they place on the market, but does not believe it should impose 'top-down' requirements in the way suggested. It would introduce burdens on businesses at a time the Government is working hard to support the economic recovery. Many supermarkets already offer recycling collection facilities to the public at their sites.</p> <p>A number of voluntary initiatives are in train and planned to encourage retailers and others to reduce the packaging they use and make it more recyclable – for example a well-developed statutory producer responsibility scheme which requires all businesses which handle packaging (including retailers) to make sure 60 per cent of it is recycled.</p> <p>The Department for Environment, Food and Rural Affairs would be happy to explore with the two councils the types of packaging they would like targeted.</p> <p>Tesco and Sainsbury’s have both trialled bring banks for a wide range of packaging materials in various formats. This could be seen as the logical extension of producer responsibility along the lines proposed, relieving local authorities of their duty to collect packaging waste. However, the ability to provide this infrastructure is limited by space at the shops, and accessibility for householders (particularly compared to kerbside services) is likely to be an issue. This would also deprive local authorities of a source of revenue by taking valuable recyclates out the existing collection system, which would have to continue operating. Were this system to replace local authority collection altogether, it is likely that the amount of packaging collected for recycling would decline as the effort of getting the recyclates to the collection points would be more onerous for the public than kerbside collections.</p> <p>As set out in the Department for Environment, Food and Rural Affairs’ Structural Reform Plan, we will explore responsibility deals with businesses – including retailers – on waste”.</p>
<p>Housing</p> <p>Change legislation that prohibits local authorities from borrowing against their social housing rental income.</p>	<p>“On 5 October the Minister for Housing announced that the Government will replace the Housing Revenue Account Subsidy system with a new, more transparent, system that devolves greater power to councils to better meet the housing needs of their local communities. We will publish more details shortly including our proposals for borrowing”.</p>

<p>Renewable Energy (Part 2):</p> <p>Government transfer a proportion (£50,000) of the Low Carbon Buildings Programme funding direct to Brighton & Hove City Council.</p>	<p>“The Low Carbon Buildings Programme ended in 2010. It has been replaced by a scheme of feed-in tariffs for small scale renewable and low carbon electricity, in a scheme which started in April 2010”.</p>
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