

# EU AND LOCAL TRANSPORT

Transport represents a significant cost for local authorities. Many councils provide subsidised bus services, community transport and maintenance of local roads. New Directives from Europe, while well intentioned, have nonetheless raised costs for some councils and could contribute to increased congestion in some areas.

## Bus Regulation

The Drivers' Hours Directive 2006/561/EC requires bus operators to fit tachographs to services that run more than 31 miles. This increases operating costs, meaning that either local council

subsidies are raised or services are reduced. The resulting rules on when drivers take a break have also led to changes in routes and timetables. Directive 2001/85/EC requires all buses to be accessible to disabled people, which is laudable, but means some buses - such as London's Routemasters - have had to be withdrawn.

## School-Run Traffic

Children under 12 years old and less than 135cm tall are required to sit in booster seats in cars under Directive 2003/30/EC, meaning that only two children can fit in the back seat of an average car instead of three. This might lead to parents buying bigger cars causing local parking and congestion problems. It will also marginally increase costs for local councils who use taxis to transport children from remote areas.

## Road Charging

Councils wishing to introduce road charging schemes have to abide by Directive 2004/52/EC which lays down specific technical requirements for electronic road charging schemes regardless of local

conditions. As well as reducing a local council's ability to decide on the most appropriate scheme, this makes schemes potentially more expensive and difficult to run.

# SYED KAMALL MEP FOR LONDON



**Syed Kamall has been a Conservative Member of the European Parliament for London since 2005**

Syed believes that Britain should be in Europe but that decisions should be made as close to the people as possible - by national governments, local councils and by individuals themselves.

**This is the third Pocket Guide published by Syed Kamall. The other two are:**

- **Pocket Guide to the European Union**
- **Pocket Guide to the Lisbon Treaty**

**You can download the guides at:**

[www.syedkamall.com/guides](http://www.syedkamall.com/guides)

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# SYED KAMALL'S POCKET GUIDE TO

# THE EU AND LOCAL GOVERNMENT

**Local councils and councillors operate within a framework of law made by central government and the European Union.**

Local councillors' ability to make changes for the communities that elect them is often constrained by rules which originate from EU directives and which are frequently goldplated by central government civil servants in Whitehall.

This pocket guide lists just some of the EU Directives in force in the UK which affect local government.

This is not a comprehensive guide to EU legislation which affects local government but is intended to show how EU law now permeates many aspects of the work of local councils.



# EU AND LOCAL DEMOCRACY



In recent years, new Directives have passed powers from local councils to the European Union. As a result, many local councillors feel that both the EU and central government have shifted power away from locally elected councils.

## Delays in public service contracts

Local councils are governed by the Public Procurement Remedies Directive 2007/66/EC which delays the time between tendering and implementing contracts by forcing councils to set aside a standstill period where losing bidders can appeal against procurement decisions. There is also a requirement to publish contracts above around £90,000 in the Official Journal of the European Communities (OJEC), again increasing the costs and the length of the tendering process. These costs are often passed onto local council taxpayers.

## Loss of local discretion on noise abatement

The Management of Environmental Noise Directive 2002/49/EC requires Member States to make Strategic Noise Maps for major agglomerations along roads,

railways and airports within their territories. In effect, the EU - not local authorities - determines what noise levels are acceptable and what measures should be taken to monitor and enforce them.

## Dictating council procedures

The Environmental Impact Assessment Directive 85/337/EEC as amended by Directive 97/11/EC requires councils to carry out a detailed study of the environmental impact of certain types of development prior to granting planning permission. While this may sometimes be prudent, this requirement adds an extra burden on local council resources.

# EU AND LOCAL COUNCIL TAX

As purchasers of services for local communities, councils are directly affected by the effects of EU and central government price-raising measures. Higher costs for councils, if not covered by corresponding rises in central government support, often feed through into higher council tax.



## Waste & Recycling Costs

The Recycling of Hazardous Waste Directive 91/689/EEC, is resulting in the need for massive investments in new recycling technologies. This, together the Waste Electrical and Electronic Equipment Directive 2003/108/EC, is leading to higher

disposal costs which are being passed on to council taxpayers. The Landfill Directive 99/31/EC means that local councils must reduce landfill waste by half of 1995 levels by 2013 or face fines of up to £180 million per year, leading some councils to move to fortnightly bin collections. The Audit Commission estimates EU waste law could add £30 to each council tax bill. The European Commission recently suggested reducing landfill waste through building more incinerators despite local concerns over their cost and damage to the environment.

## Higher Food Bills

Because the Common Agricultural Policy keeps food prices artificially high, councils spend an average £600 a year extra per person on food for residential homes and meals on wheels.



## Higher Staff Costs

The European Agency Workers Directive COD 2002/0149 requires councils to provide temporary staff - with only twelve weeks' experience - with the same entitlement to holidays, pensions and sick pay as more experienced permanent staff. Meanwhile, the Working Time Directive 93/104/EC reduces flexibility by restricting the overtime of council employees.

# EU AND LOCAL SERVICE STANDARDS

Living in the EU today means that service standards are often set by the EU or national government rather than local communities.



## Teaching standards

Under Directive 2005/36/EC on the Recognition of Professional Qualifications, schools and local education authorities have to accept the teaching qualifications of job applicants who qualified in another EU member state as equal

to those who qualified in the UK, despite issues around language, familiarity with the National Curriculum or the equivalence of qualifications from different countries.



## Environmental standards for vehicles

Compliance with the Energy End Use and Efficiency Directive 2006/32/EC could have the unintended consequence of forcing

councils to bring forward the acquisition of new vehicle fleets and the extra pollution that their manufacture entails. Vehicles with shorter life-cycles are generally more environmentally damaging because of the energy used and pollution created during the manufacturing and scrapping processes.

## Loss of council freedom to set local standards

The EU publishes energy efficient guidelines and assessments in public tender contracts, forcing suppliers to provide energy use statistics, introducing compulsory energy audits and directing councils to purchase vehicles and equipment from a list of approved product specifications. The EU applies similarly stringent rules to the purchase and rent of buildings. A whole new raft of costly bureaucracy is needed to enforce such regulations, reducing the ability of local councils to set standards that they deem appropriate for the local communities that they represent.