

## **Sustainable Communities Act (090312/CAB011)**

**To:** Cabinet  
12 March 2009

**Main Portfolio Area:** Leader of Council

**Author of report:** Sheila Wheeler

**Classification:** non-exempt

**Ward:** not apply

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### **Executive Summary**

On 14 October 2008 the Secretary of State for Communities and Local Government issued the first invitation to Local Authorities to submit proposals under the Sustainable Communities Act 2007. The Act aims to promote the sustainability of local communities through providing an opportunity for councils to develop ideas and proposals which would contribute to sustainability locally, but which would require national action to put into effect. The Act seeks to encourage the improvement of the economic, environmental and “social well-being” of the authority’s area, through increased participation in civic and political activity. Ideas will be fed through the Local Government Association (LGA) which will then shortlist suggestions for government to consider. The deadline date for submission in the first phase is 31 July 2009.

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### **Corporate Priorities**

All Corporate Priorities

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### **Report status**

For decision

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### **Route to Implementation/Timetable:**

Members are requested to consider and agree what steps need to be taken so that appropriate mechanisms are in place should the Council wish to make a proposal to the Secretary of State for Communities and Local Government under the Sustainable Communities Act before 31 July 2009.

## **Report of Sheila Wheeler, Chief Executive**

### **1. Introduction**

- 1.1 The Sustainable Communities Act received Royal Assent on 23 October 2007 and the Government issued statutory guidance on how the Act would operate in August 2008. The Act aims to promote the sustainability of local communities through providing an opportunity for councils to develop ideas and proposals which would improve the quality of life and social wellbeing in their local areas, through increased participation in civic and political activity.
- 1.2 The Act provides a statutory framework for councils in England, working with local people and community groups, to put forward proposals on sustainable improvements to economic, environmental and reconfiguration of public services, changes to the pattern of public spending, which would contribute to these goals, but which would require national action to put into effect. The scope of the Act is very broad, covering economic, social and environmental issues. It does not limit the type of action that could be put forward. The Act assumes that it is for local people to decide what they think needs to be done to promote the sustainability of their area, whilst ensuring that communities are better informed about the public funding that is spent in their area.
- 1.3 On 14 October 2008 the Secretary of State for Communities and Local Government issued the first invitation to Local Authorities to submit proposals under the Act by 31 July 2009. The Local Government Association has been appointed as the national "selector" body to assess and short-list proposals made by councils under the Act. Proposals from the final shortlist are then decided on by the Secretary of State for Communities and Local Government after consultation with the LGA as selector.
- 1.4 The Act also requires the Secretary of State to arrange for the production of Local Spending Reports to give people information about public money being spent in their area. Arrangements for the first Local Spending Reports will be made by 23 April 2009.

### **2.0 Background**

- 2.1 The Sustainable Communities Act was developed through a five year campaign by a coalition called Local Works. This originated in work published by the New Economics Foundation on "ghost town Britain" on the loss of small businesses and community facilities and the link between these and wider sustainability concerns. Local Works ran an effective lobbying campaign in support of the Bill including a parliamentary Early Day Motion signed by 363 MPS showing cross party support. It was taken up as a Private Members Bill by Nick Hurd, Conservative MP when he won the Private Members Bill ballot in 2006.

### **3.0 Responding to the Invitation**

3.1 The provisions of the act will be made known to the public via the Council website. The Leader of the Council had raised the opportunity formally with the Local Strategic Partnership Membership and again formally at the Parish Council Chairmen's meeting of 24 February 2009.

3.2 The council will then need to screen any proposals received from the public to test whether they are matters for government or which the council and its partners locally can deal with. Where we receive proposals from the public under the Act that should be determined locally, these will be dealt with directly by the relevant services.

3.3 When considering whether to submit proposals formally to the LGA, the Council will consider the following criteria:

- Proposals should be innovative and make a clear contribution to the delivery the Sustainable Community Strategy or the Local Area Agreement
- The proposal should be something that the government can deliver
- The proposal should not be capable of being delivered by the Council and its partners. It is important to recognise that the "power of wellbeing" is widely drawn; and
- Proposals should be capable of commanding community support

3.3 Before submitting proposals, the Council will need to demonstrate that it has engaged with "a panel of local persons" as defined in the guidance. Local persons are those likely to be affected by or interested in the particular proposal. It is not simply a reference to local residents but also covers those that work and study in the area, visitors and service users, the third sector and businesses. The Council will need to consider whether it can recognise an existing panel or needs to identify a new panel and that reasonable steps have been taken to include representatives from under-represented groups.

3.4 Where possible we will use existing consultation and engagement structures in order to comply with the requirements before submitting proposals. The method of consultation should follow the type of proposal ie where a proposal relates to a particular area we would include the relevant Parish Council in our consultation process.

### **4.0 Cross cutting issues**

4.1 Legal

As detailed in report

4.2 Finance and other resources, including ICT

Possible depending on submissions

4.3 Staffing

No

4.5 Value for money

No

4.6 Risk Management

No

4.7 Equalities

Yes. In order to make proposals under the Sustainable Communities Act, local authorities are required to have a representative community panel which includes representation of under-represented groups.

4.8 Safer & Stronger Communities

Yes. The Act promotes improvement of economic, social and environmental wellbeing of the area

4.9 Environment / Sustainability

Yes. Proposals which promote the sustainability of local communities may have an impact.

4.10 Human Rights Act

No

4.11 Communication and Consultation

Yes. In order to make a submission under the Sustainable Communities Act, local authorities are required to have a representative community panel for consultation on priorities and potential proposals for

## 5.0 Conclusion

5.1 The Council will be receptive to proposals submitted by local people under the Sustainable Communities act and each will be considered on its individual merits. Proposals which are within the remit of the Council will be routed through existing local processes. Where the Council wishes to submit a proposal to the LGA we will seek to use existing processes to consult local people.

## 6.0 Recommendation(s):

6.1 To seek to raise awareness and publicise again the opportunities of the Sustainable Communities Act with the public and local partners.

6.2 To ensure that any proposals that come forward are truly innovative and are not currently capable of being delivered by the Council or its partners under existing powers.

**Contact Officer:** Sheila Wheeler, Chief Executive

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**Appendices:** None

**Background Papers:**

Sustainable Communities Act 2007 / LGA background papers / Local Works Briefing