

# Executive

## Sustainable Communities Act 2007

12 January 2009

### Report of The Head of Corporate and Community Planning and The Chief Executive

#### PURPOSE OF REPORT

To provide the Executive with information on this Act and the timetable for the submission of first round proposals.

This report is public

#### Recommendations

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The Executive is recommended to:

- (1) Note the purpose of the Sustainable Communities Act and the timetable associated with the first bidding round.
- (2) Agree if Executive Members wish to develop a bid to this timetable.

#### Executive Summary

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##### Introduction

- 1.1 The Sustainable Communities Act 2007 enables the Secretary of State to invite Local Authorities to make proposals for **new** ways to improve the economic, social or environmental wellbeing of local areas by:
  - Supporting more local flexibility
  - Removing obstacles to improvement
  - Strengthening the role of communities
  - Encouraging civil and political participation
- 1.2 The scope of the Act is very broad and covers economic, social and environmental issues. There are clear links to the Empowerment Act, Sustainable and Prosperous Communities and the Power of Well Being and it is expected that proposals will consider a range of sustainability issues such as transport, workforce skills, participatory planning and energy use.

## **Proposals**

- 1.3 To note the headlines of the Act and the timetable for submitting proposals in the first round.
- 1.4 To decide whether to pursue the development of a bid by ourselves and/or in collaboration with others.

## **Conclusion**

- 1.5 The cross-party support this Act has may mean it proves to be a way to bring about legislative change in a way that better supports Local Authorities in the delivery of their objectives.

## Background Information

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- 2.1 The Sustainable Communities Act was developed as a result of a 5-year campaign taken up as a Private Members Bill, by Nick Hurd, Conservative MP. During its passage through Parliament it has gone through numerous and major revisions and has gained support from government. The Act became law in October 2007 and regulations have recently been published.
- 2.2 The Act enables the Secretary of State to invite Local Authorities to make proposals for **new** ways to improve the economic, social or environmental wellbeing of local areas by:
  - Supporting more local flexibility
  - Removing obstacles to improvement
  - Strengthening the role of communities
  - Encouraging civil and political participation
- 2.3 The scope of the Act is very broad and covers economic, social and environmental issues. There are clear links to the Empowerment Act, Sustainable and Prosperous Communities and the Power of Well Being and it is expected that proposals will consider a range of sustainability issues such as transport, workforce skills, participatory planning and energy use.
- 2.4 Such proposals can include proposals to transfer powers, functions and resources from one organisation to another.
- 2.5 The Secretary of State has committed to publish by April 2009, 'Local Spending Reports', which should include information about all public expenditure in an area to help inform proposals for change. What constitutes a 'local area' has yet to be defined.
- 2.6 Proposals can be made by individual Local Authorities or Authorities working together.
- 2.7 The Secretary of State has appointed the LGA to be the Act's 'Selector'. The Selector will consider submitted proposals and draw up a short list for decision by the Secretary of State. Further guidance on this process is awaited. The Secretary of State has a duty to consider any proposals that have been short-listed by the Selector and to publish the decision and the reason for it.
- 2.8 The first proposal round is now open and the deadline for submission is 31<sup>st</sup> July 2009. Arrangements for future rounds are likely to depend on the number and complexity of proposals received in the first round, but this is not intended to be a one-off programme.
- 2.9 Local Authorities must establish or recognise a panel of representatives of local people and consult them about any proposals that they plan to submit. There is guidance about what constitutes local people, the make up of the panels and the consultation process. Key to the legislation is community engagement, listening to communities and getting communities involved in decision making.

## Key Issues for Consideration/Reasons for Decision and Options

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## Options

- 3.1 To agree to participate by submitting a proposal in this first round whether by ourselves or in collaboration with others and to commission early work from officers to identify potential fruitful areas
- 3.2 To agree not to participate at this stage.

## Consultations

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We will have to consult on any proposals we submit to the Secretary of State in line with the spirit of the Act and the published guidance as well as the Council's Consultation and Engagement Strategy.

## Implications

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**Financial:** There are likely to be modest costs associated with the development of any serious proposal but these could be shared with other Local Authorities interested in pursuing the same changes. Should the Executive decide to pursue any specific proposal a cost-benefit analysis would need to be worked up.

Comments checked by Karen Curtin, Chief Accountant.

**Legal:** There are no significant legal issues directly arising from this report. If the Council decided to develop a proposal legal advice may be required interpreting the act and working to establish possible partnership arrangements including governance and funding.

Comments checked by Liz Howlett, Head of Legal and Democratic Services 01295 22168

**Risk Management:** By not participating in this we run the risk of missing an opportunity to pursue a change that might make a real difference to our ability to deliver our strategic objectives for the District. At the same time we risk putting significant time to a proposal which may not be accepted. It is likely that proposals supported by several Authorities are likely to stand a better chance of acceptance and working in collaboration with others if that suits us would be a good way of mitigating the risk of wasted effort.

Comments checked by Rosemary Watts, Risk Management and Insurance Officer 01295 221566

**Equalities** The Act looks for consultation on any submitted proposal among local communities and the detailed guidance is likely to look specifically for consultation with hard to reach groups.

Comments checked by Grahame Helm, Head of Safer Communities and Development 01295 221615

**Wards Affected**

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All

**Corporate Plan Themes**

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Potentially any or all of them

**Executive Portfolio**

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**Councillor Barry Wood**  
Portfolio Holder for Community Planning and Policy

**Document Information**

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<b>Appendix No</b>	<b>Title</b>
None	
<b>Background Papers</b>	
None	
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