

Report for Resolution

Report to Executive
18 March 2009
Report of Head of Community Services
Subject The Sustainable Communities Act 2007

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Purpose

For the Executive to consider the response to the Sustainable Communities Act

Recommendations

That the Executive endorses the proposed approach set out in the report.

Financial Consequences

A response to the Sustainable Communities Act is not budgeted for in the 2009/10 budget agreed by Council recently. It is therefore proposed that the response will be met from existing resources.

Risk Assessment

The draft community engagement strategy identifies the vital role that communities have in shaping the services they receive and the future of the city. The Sustainable Communities Act offers one such opportunity and the risk relates to how the Council responds to the new act and the issues raised by communities.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority "Safe and healthy neighbourhoods – working in partnership with residents to create neighbourhoods where people feel secure, where the streets are clean and well maintained, where there is good quality housing and local amenities and where there are active local communities" and the service plan priority to develop and implement a community engagement strategy.

Executive Member: Councillor Blakeway -Neighbourhood Development

Ward: All

Contact Officers

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Background Documents

Background

1. The Sustainable Communities Act received Royal Assent on 23rd October 2007. The Government issued statutory guidance on how the Act will operate in August 2008. The Act provides a channel for local people to ask central government through their local council to take action on specific issues to promote the sustainability of their communities.
2. Ideas will be fed through to the Local Government Association (LGA) which will act as the “selector” and the LGA will shortlist suggestions for government to consider. Before submitting a proposal the Council must consult a panel of local representatives. Councils can use the process to propose the transfer of functions and the associated funding from one public body to another.
3. On 14th October, 2008 the Secretary of State for Communities and Local Government issued the first invitation to Local Authorities to submit proposals under the Act. Local Authorities now have until 31st July, 2009 to put forward proposals to the LGA.
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 23rd April, 2009.
5. When considering whether to submit proposals to the LGA, the Council should consider the following criteria:
 - proposals should be innovative and make a clear contribution to the delivery of the Sustainable Community Strategy and link to the Local Area Agreement
 - the proposal should be something the government can deliver. The proposal should not be something that the council and its partners already has the powers to deliver e.g. the Council needs to be aware for example that the “power of wellbeing” is widely drawn; and
 - proposals should command or be capable of commanding community support
6. 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 a particular proposal. It is not simply a reference to local residents, it also covers those who work or study in the area, visitors, service users, the third sector and businesses.
7. The Council may choose to recognise an existing panel or panels rather than create a new panel. However, we need to show that we have taken reasonable steps to identify and include representatives from under-represented groups.
8. Where possible, we will use existing consultation and engagement structures in order to comply with the requirement to consult a panel of representatives before submitting proposals.
9. The panels involved may vary depending upon the issues raised but might

include the Tenants Citywide Board, the City of Norwich Partnership or the 3rd Sector Forum.

10. In addition Council agreed the following motion on the sustainable communities act at its meeting of 25th November:

RESOLVED, unanimously, that:-

“This Council:

- supports the bottom up process described in the Sustainable Communities Act, which is designed to aid local communities to direct central government assistance towards reversing community decline;
- notes that the Act gives local authorities the power to:-
 - (a) make proposals to government on the action and assistance government must take or give to promote sustainable communities; and
 - (b) argue for a transfer of public money and function from central to local control.

In the light of the Council's stated intention to make full use of the powers, this Council, therefore, resolves to ask the Executive to:-

- (1) use the Act by preparing and submitting proposals on how central government can help by 31 July 2009;
- (2) inform the local media of this decision;
- (3) write to local MPs, informing them of this decision;
- (4) write to Local Works (at Local Works, c/o Unlock Democracy, 6 Cynthia St, London N1 9JF) informing them of the Council's resolution to use the Act; and,
- (5) strongly encourage any new Council representing the Norwich area to continue to make full use of the powers.”

Proposals

11. Officers have met to consider how this work is progressed. There are no funds available for this work within 2009/10 service budgets, and so we need to develop proposals that will fit with existing team priorities and workloads. It will also be vital that any new activity should add value to the current and forthcoming community engagement, neighbourhood development and unitary work streams.

12. It is also important to make use of the quantitative data that we already have available for Norwich as well the emerging issues that come from the neighbourhood profiling work being undertaken by the community engagement

13. Officers have undertaken some research to establish the types of issues being considered for submission by other local authorities. This includes:

- That government change the planning system so that developers can not appeal to central government to overturn a local planning decision.
- That government reduce the restrictions on councils regarding how they spend granted money so that they can choose to spend it on locally decided priorities, e.g. Post Offices and other public services provision.
- That government give councils the power to retain revenue from business rates to be spent on locally decided priorities.
- That government give councils the power to levy non domestic rates on the car parking spaces of out of town superstores, and that the revenue be held locally by councils and spent on locally decided priorities.
- That government give councils the power and resources to refurbish existing housing in the council's area to reduce its environmental impact (e.g. by fitting insulation).
- That government allow councils to keep all the rent collected on council properties to be spent on improving council housing, reducing those houses environmental impact and investing in new affordable housing.
- That government give councils greater powers over local bus company operators.

Data capture

14. The place survey data for Norwich and Norfolk will shortly be available and this will be provided to the community engagement team to inform the discussions with groups and residents in their neighbourhoods during the profiling work. If Issues arise from this work that meet the criteria off the Sustainable Communities Act these will be captured.

15. Officers will summarise and shape the issues into a list of key priorities adding further background information on the issues and opportunities in Norwich and the barriers and actions needed. During this period local spending reports will become available to include in the reporting.

16. These would be reported to the City of Norwich Partnership to test the proposals and reported to the Executive to agree the proposals to be taken forward to the LGA. We expect this to happen around June 2009.

Conclusions

17. The principles contained within the Sustainable Communities Act closely align

with those in the Council's Neighbourhood Strategy. This set out a vision where:

- Communities are engaged, listened to, and empowered
- Communities and organisations have a better shared understanding of the needs and aspirations of neighbourhoods, set out in neighbourhood profiles and neighbourhood plans
- Services are delivered at a locality level, by the council and its partners, wherever possible
- Residents and services are working together to improve life for residents in neighbourhoods and localities

18. The work of the community engagement team and the neighbourhood management pilot programme will contribute to progressing these whilst other opportunities are explored and will be reported to a future meeting of the Executive. The neighbourhood profiling and community planning led by these teams will be a key opportunity to identify community issues and aspirations that may be appropriate for the sustainable communities act.
19. This approach would ensure that issues can be tested across the City, that activity is truly bottom up and is achievable within the current program of corporate and service priorities.