

Agenda Item: 16

Executive Board

15 July 2009

SCA09



Sustainable Communities Act

Summary

The Sustainable Communities Act seeks to promote the sustainability of local communities by inviting councils and communities to put forward proposals which will contribute to the sustainability and wellbeing of local areas. The Council has sought to generate proposals with a variety of community groups and the proposals put forward have been prioritised by our residents' panel. The prioritised proposals are set out in the appendix and members are invited to consider these and recommend which of these are submitted to the Local Government Association by the national deadline of 31 July.

The organisation 'Local Works', a coalition of over 90 organisations has written to the Council asking for support with a Sustainable Communities Act 2007 (Amendment) Bill and also with its work in amending the Local Democracy Bill to ensure Local Spending Reports meet the promised standard.

Recommendation

- **The Board is asked to consider whether EDDC should focus on putting all its weight behind submitting one proposal on affordable housing for local people, or whether one or two other popular proposals should also be submitted.**
- **The Board is asked to consider whether they wish to sign a document in support of the Sustainable Communities Act 2007 (Amendment) Bill which would be sent to our MP.**
- **The Board is asked to consider whether they wish to contribute £500 towards the work of Local Works, who are asking for EDDCs financial support in continuing their work on the Sustainable Communities Act 2007 (Amendment) Bill and Local Spending Reports.**

a) Reasons for Recommendation

On 15 April the Council agreed that proposals under the Sustainable Communities Act should be submitted to the Local Government Association by 31 July. Through community engagement, proposals have been generated and prioritised which are put forward for Members' consideration.

b) Alternative Options

Councils do not have a legal duty to take part in the Act, but members chose to get involved because it was an opportunity for the Council and local communities to drive the action and assistance that central government can provide in promoting thriving, sustainable communities.

c) Risk Considerations

None.

d) Policy and Budgetary Considerations

Positive Impact Overall

Affordable Homes.
Thriving Economy.
Safe Environment.
Clean Environment.
Green Environment.
Recycling.
Young People.
Excellent Customer Service.
Inspirational Council.
Meeting our crime and disorder duties.
Meeting our Diversity and Equality duties.

e) Date for Review of Decision

An invitation to submit proposals under the Act is expected to be issued on an annual basis.

1 Main Body of the Report

1. What is the Sustainable Communities Act?

The Sustainable Communities Act received Royal Assent on 23 October 2007. The aim of the Act is to promote the sustainability of local communities.

The Bill was supported through Parliament and all of the main English political parties. It is the result of a five year campaign led by a coalition of organisations under the banner 'Local Works'. 'Local Works' name 90 national supporting organisations reflecting a very wide constituency.

The Sustainable Communities Act aims to promote the sustainability of local communities. It begins from the principle that local people know best what needs to be done to promote the sustainability of their area, but that sometimes they need central government to act to enable them to do so. The Act is intended to divert power and funding from central government to councils and local people to help them manage community issues at a local level and change things for the better.

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, provided the action is within that broad scope. It is for local people to decide what they think needs to be done to promote the sustainability of their area. The Act required us to ask residents and groups in East Devon for proposals about what government could change to make communities more sustainable in East Devon, and put these proposals to local people for them to prioritise.

Councils do not have a legal duty to take part in the Act, but members chose to get involved.

2. How we sought proposals

Anyone could suggest ideas and proposals. However, government expected most proposals to come from community or voluntary groups, local branches of national organisations, parish and town councils, neighbourhood forums, residents and tenants associations.

In May we sent out information (letters, leaflets and proposal forms) inviting proposals under the Sustainable Communities Act. The information was sent out to Town and Parish Councils, many voluntary and community groups, East Devon Local Strategic Partnership members, the local media, Elected Members and staff. The information was also put onto the Council's website alongside an on-line proposal submission form.

When the proposals were submitted officers considered whether they were valid proposals. According to government all proposals had to meet three criteria:

- They must improve the 'sustainability' of the local community. 'Sustainability' is defined in very broad terms, and can cover anything to improve the economic, social, or environmental well-being of the area, or promote participation in civic or political activity. The act aims to encourage a broad range of ideas and not dictate the scope of proposals.
- Proposals must require action from central government, such as a change in legislation, a transfer of responsibilities from one public body to another, a new national policy or a change or strengthening of an existing policy.
- Proposals must be based within, or of specific relevance to, local communities.

3. How the proposals were prioritised

The Sustainable Communities Act guidance states that a panel of local people is required to consider the merits of proposals and decide upon priorities between different proposals.

All 167 members of the Council's 'Speak Now!' residents' panel were invited to a meeting to prioritise East Devon's proposals under the Sustainable Communities Act. The meeting was held at Honiton Community College on 2 July 2009 and 49 members of the residents' panel came along to give us their views.

The meeting started with a short presentation on the Sustainable Communities Act and there was an opportunity for people to ask questions about the Act. Each member of the panel was given four votes and asked to vote for which of the 26 proposals they thought would make East Devon a better and more sustainable place to live. They were given the option of splitting their four votes how they wished; if they felt really strongly about a proposal they could give it all four of their votes but if there were four proposals they supported equally they could give one vote to each of the four proposals.

Some of the proposals were quite similar so people were provided with the option of voting for a group of similar proposals rather than voting for a specific proposal. For example, six of the proposals were about providing more affordable housing in East Devon for local people but each one set out different ways of going about this. People who supported the general idea of providing more affordable housing in East Devon for local people but did not mind how it happened, were allowed to vote for the principle of providing more affordable housing for local people without necessarily picking a specific proposal on how to achieve this.

The three proposals receiving the highest number of votes appear in the table on the next page. The votes are recorded for each proposal in the Appendix, including the four groups of similar proposals.

Priority	Proposal	Number of votes
1	<p>More affordable housing is needed in East Devon for local people which could be done using all of the 6 proposals, which were:</p> <ul style="list-style-type: none"> • Change planning law to allow affordable housing to be built in and around villages and rural settlements • Allow local district and parish councils to give local young people priority over houses for sale or rent • Stop allowing people to buy their own council houses • Allow the district council to keep all the council house rent it collects rather than have to send £5.8m back to Central Government • Control how much rent private landlords charge • Planning permission should be required for people who change their properties into holiday lets • Affordable housing should be required with every development no matter how small • Have a policy of encouraging council tenants to move out and buy private homes when they can • Allow the district council to keep the money from the sale of council houses for up to 3 years to spend on new council homes 	54
2	Introduce legislation to further limit the size and weight of delivery vehicles allowed into town centres. Central Government should not go along with the increase in HGV size, regardless of the size of the item being delivered, as promoted by the EU.	20
3	Stop the closure of any more rural Post Offices by requiring the Post Office to maintain its remaining rural Post Offices, providing more long term security to organisations providing Post Office Outreach services and create a national Post Bank purely managed by the Post Office and not in partnership with them.	20

All of the proposals with the votes cast for them are listed in the Appendix.

This shows that provision of affordable housing for local people is by far the top priority for East Devon residents which reinforces the findings of previous community engagement. The Board is asked to consider whether EDDC should focus on putting all its weight behind submitting one proposal on affordable housing for local people, or whether one or two other popular proposals should also be submitted. All proposals must be submitted to the Local Government Association (LGA) by the national deadline of 31 July.

4. What happens next?

The final proposals from the Council will be sent to the LGA by 31 July 2009 for them to make the decisions on which proposals will go forward to the next stage.

The proposals from the LGA will be sent to the Secretary of State for final decisions to be made. The Act requires him to co-operate with the LGA 'and try to reach agreement' on proposals. The Secretary of State also has to publish reasons for decisions, to publish an action plan on how proposals will be implemented, and report to Parliament each year on progress being made under the Act.

5. The future of the Sustainable Communities Act

The Council has recently received a letter from Local Works, who campaigned to implement the Sustainable Communities Act and are working to provide advice and guidance on the Act, and to make sure it continues. A representative from Local Works gave a presentation on the Act to the Executive Board on 3 March 2009.

The Local Works letter asks for the Council's support for an amendment to the Sustainable Communities Act. Currently there is no legal requirement for the Act to continue beyond this round of proposals. The Sustainable Communities Act 2007 (Amendment) Bill would create a legal requirement for Central Government to continue to implement the Act beyond 31 July 2009 and would guarantee a rolling programme for proposals that would continue into future years. They state the Bill has cross-party backing. The Board is asked to consider whether they wish to sign a document in support of the Sustainable Communities Act 2007 (Amendment) Bill which would be sent to our MP.

Local Works will also be working to amend the government's Local Democracy Bill to ensure that the full Local Spending Reports (LSRs) as promised are delivered. LSRs are an important part of the Sustainable Communities Act as they inform local people and organisations how Central Government money is spent locally. LSRs were published with this round of the Sustainable Communities Act but with less detail than what had been previously promised.

Local Works are asking for EDDC's financial support in continuing their work on the Sustainable Communities Act 2007 (Amendment) Bill and Local Spending Reports. The Board is asked to consider whether they would wish to contribute £500 towards their work.

Legal Implications

The statutory framework and the Council's commitment under SCA is explained in the report. No further legal observations.

Financial Implications

It is assumed any financial implications resulting from this work will be reported separately to the Executive Board for consideration.

Consultation on Reports to the Executive

Due to the timescales involved this final report has not been consulted on previously.

Background Papers

The Government has published guidance on the Act, for more information visit:

<http://www.communities.gov.uk/publications/localgovernment/sustainablecommunitiesact>

The Local Government Association has published guidance at:

<http://www.lga.gov.uk/lga/core/page.do?pageId=1293641>

Local Works is a coalition of over 90 national organisations and is campaigning to promote the use of the Sustainable Communities Act. Their website is: www.localworks.org

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Executive Board
15 July 2009