

Executive – 16 July 2009

SUSTAINABLE COMMUNITIES ACT – PROPOSALS FOR POSSIBLE SUBMISSION

Report of Strategic Director (Community)

Statutory Powers: Sustainable Communities Act 2007, Local Government and Public Involvement in Health Act 2007 - Duty to Involve.

Financial Implications: No significant financial implications arise from this report, however the outcomes from any submitted proposals that are implemented nationally may result in the need to consider future expenditure to develop project ideas.

Purpose of this Report

This report seeks approval of the 11 most popular proposals, put forward by the Community Partnership Forum and prioritised by our Community Sounding Board, for submission to The Selector (LGA) for consideration under the Sustainable Communities Act.

RECOMMENDATION

That the Executive RESOLVES to submit the 11 proposals prioritised by the local community for consideration for national implementation under the Sustainable Communities Act.

Links to Corporate Priorities: Proposals under the Act contribute to CP1 Affordable Homes, CP2 Good Jobs and CP3 Distinctive Environment, as well as the cross-cutting theme of Climate Change. The Act and proposals raised aim to encourage a sustainable community.

Background

1. The aim of the Act is “to promote the sustainability of local communities”, by “encouraging the economic, social and environmental well being of the area”. The Act provides a channel, via local councils, to enable local people and local councils (in agreement with their community) to ask central government to take action to improve the sustainability of local areas. Proposals raised can request that Government initiates a change in existing legislation or policy, introduces new legislation or policy, or transfers the responsibilities and funding from one public body to another, in order to encourage a sustainable South Hams community.
2. Councils (District and County) were invited (Oct 08) to make proposals to central government, via The Selector panel consisting of LGA representatives, by the 31st July 2009. The Act specifies that local authorities cannot make suggestions to central government without involving ‘local people’. Councils must set up (or recognise if they already exist) ‘panels of representatives of local people’ - which must include people from under-represented groups, for example Black and Minority Ethnic (BME), young people and tenants to ‘agree’ proposals with.

3. The approved report to the Executive in January (Min.E.92/08) described the proposed implementation process to enact the Sustainable Communities Act in the South Hams. The process described was conducted throughout early 2009. Proposals were formulated under the existing structure of the South Hams Strategic Partnership's Community Partnership Forum (CPF), at an event on the 23rd February 2009 at the Watermark, Ivybridge. All council members were invited to this meeting to propose ideas on behalf of the council and their local community. The outcome of the event was a shortlist of 'most popular' proposals, voted for by attendees. This shortlist was developed into a survey for the South Hams Community Sounding Board to prioritise the proposals in order of importance to the wider community.
4. This Report asks Members to review the proposals short listed from the Community Partnership Forum Event and prioritised by our Sounding Board for submission under the Sustainable Communities Act, by the 31st July 2009.

Results

5. 88 representatives of SHDC and the CPF attended the event in February; where close to 200 different proposals were raised and discussed. Attendees were asked to place votes against the proposals they would like to see taken forward. This resulted in a shortlist of 12 'Most Popular' proposals. The shortlist was selected by including all those proposals that achieved ten or more votes in total. Whilst developing the survey for Sounding Board, two proposals concerning renewable energy and efficiency initiatives were joined together to form one proposal; bringing the shortlist to 11 proposals.
6. The Community Sounding Board paper survey was conducted throughout May in conjunction with Marketing Means, a local firm of independent researchers who manage membership of the Board on behalf of the Council. Participants of the Sounding Board were asked to select three of the 11 proposals that would be of most benefit to the local community. They were then asked to allocate ten votes between the three proposals they had selected, to determine their importance. The survey produced straight-forward results with a clear rank from 1 to 11. This further step of community engagement served to test and prioritise the proposals raised at the CPF event. 417 members of the Community Sounding Board took part in the survey, with a response rate of 50.1%.
7. The proposals short listed at the CPF event are shown in Table 1, in order of importance to the South Hams Community Sounding Board. Column four demonstrates the initial rank of the proposals following voting by attendees of the CPF event. If Members would like to read detailed versions of the proposals, as submitted by the authors, please visit the following web pages on the SHDC website:
http://www.southhams.gov.uk/index/residents_index/ksp-community-support/community-suscomact2007.htm

Table 1. Proposals put forward by SHDC representatives and members of the Community Partnership Forum, ranked in order of importance to the Community Sounding Board.

Rank	Proposal	Author/s / Supporters	Initial Rank from Community Partnership Forum
1	<p>Request that the Government introduces a new policy to safeguard the existing Post Office network by allowing them to perform new functions and provide services for the local community.</p> <p><i>Reintroducing lost products and services will reinforce the Post Office as a hub for the local community, providing a range of necessary functions such as banking.</i></p>	SHDC & Salcombe Town Council	9
2	<p>Request that the Government introduces legislation that enables the tax from second homes to be spent in affected local areas, addressing the needs of the local community.</p> <p><i>This would allow council tax from second homes to be retained in the local areas affected by second homes and for the funds to be targeted at alleviating problems that second homes can cause.</i></p>	SHDC and many other groups	6
3	<p>Request that the Government introduces legislation for affordable, sustainable homes. These are to be built by housing co-operatives, private individuals and parish councils for their own use.</p> <p><i>Suggested new policy 'Private Initiative Affordable Housing' which would allow private individuals, self- build schemes, housing co-operatives and not for profit collectives to build sustainable homes for their own use.</i></p>	South Devon Green Party & Transition Town Totnes- Building and Housing Group.	2
4	<p>Request that the Government provides financial support or tax incentives to encourage public services, businesses and households to:</p> <ul style="list-style-type: none"> - Install renewable energy kits; - Use organic food waste to produce energy; - Improve the energy efficiency of existing properties. <p><i>Suggestions include grants for sustainable improvements; funding for anaerobic digesters - energy from food/organic waste; reductions in VAT for insulation and energy efficiency improvements to older properties.</i></p>	SHDC; West Den; & Dartington Hall Trust.	3 (two proposals and votes combined for Sounding Board Survey)
5	<p>Request that the Government provides funding and support to develop an extensive cycle and off-road walkway network.</p> <p><i>Delivering a network of cycle routes and walkways in towns and villages will reduce reliance on fossil fuels as well as encouraging exercise and improving</i></p>	Transition Town Totnes & Totnes Strategy Group.	5

	<i>individual well-being.</i>		
6	Request that the Government introduces legislation to make it compulsory for all new developments and strategies to be assessed for their impact on overall sustainability and the communities' health and well-being. <i>This will require Integrated Impact Assessments to be carried out on all new developments, which would mean looking at build quality; transport and infrastructure and access to the natural environment. This would require adopting a multi-agency approach to assess the full impact of the development on the health and well-being of the community.</i>	Totnes Development Trust.	4
7	Request that the Government provides funding to support Business Rate relief for local businesses which trade in locally grown or locally made produce. <i>Councils have discretion to award rate relief but this is partly funded by the council taxpayer. This legislation would mean that any relief would be wholly funded by Government.</i>	SHDC	7
8	Request that the Government introduces legislation to enable the introduction of local sustainable energy supplies, and allow them to compete with the larger energy providers. <i>This would allow local sustainable energy suppliers to provide a secure and potentially cheaper supply of energy for local people.</i>	SHDC	8
9	Request that the Government introduces legislation to make it easier for land to be transferred to local community groups and parish councils in order to meet the needs of the community. <i>Community Asset Transfers allow land to be transferred from local authority ownership to community groups at less than market value. A similar scheme operates in Scotland - Community Right To Buy. This would give community groups 'first refusal' on any land disposal by the local authority.</i>	Totnes Strategy Group; South Hams Sustainability Group; Ermington Parish Council; Devon County Council & Transition Town Totnes.	1
10	Request that Government provides guidance and financial support to help local authorities and communities to manage and conserve green spaces in a way that improves local community's resilience to the effects of climate change (or lowers the threat of climate change to communities). <i>This would allow our green spaces to be managed in a way that reduces the impacts of climate change on the surrounding area, for example as water channels and buffer strips.</i>	South Hams Sustainability Group	10
11	Request that the Government provides longer term consistent funding and support for voluntary groups and activities. <i>This is aimed at encouraging and sustaining volunteer activities within the community.</i>	Barnardo's	9

Submission

8. The deadline for submission to the Selector of all approved proposals is the 31st July 2009. It is the aim of council officers responsible to submit all approved proposals in the required format by this date. The write-up process has been hindered by a lack of early guidance from the Government and the LGA on the format of proposals for submission. This has now been published (5th June) (Appendix 1) and the process of preparing proposals for submission (in order of Sounding Board results) has now commenced, with the support of the proposals authors.
9. At the time of initiating the community engagement process, the detail, format and time required for submitting proposals to the Selector was unknown. We are hopeful that all 11 proposals will be ready for submission by the 31st July. However, if the timescale proves too challenging, we will prioritise the Council's input into the submissions process on the basis of the priorities established by our Sounding Board.

Evaluation

10. Implementation of the Sustainable Communities Act was conducted as per the approved Executive Report, Min.E.92/08. Timescales for implementing this new piece of legislation have been tight; with the invitation to raise and submit proposals in mid Oct 2008 and the deadline for submission being the 31st July 2009. Continued involvement from authors and supporters in providing detail to their proposals, has been invaluable to the process of successfully implementing the Act during Round One.
11. The Act states that local councils must agree proposals with their local community, and that this must involve under-represented groups or individuals. The process we implemented enabled us to agree proposals with our community through the CPF, which includes representation from under represented groups. The Community Sounding Board was developed to be demographically and geographically representative of the whole of the South Hams, therefore this survey will also have involved under-represented individuals. The spirit of the Act, being a bottom-up process, has been retained.
12. Following submission of those proposals approved by the Executive and written-up within the allocated time, a full evaluation of the Sustainable Communities Act implementation process will be conducted and any amendments made prior to a possible second round of the Act.

Strategic Risk Assessment

Opportunity	Issues/Obstacles	Benefits
Proposals raised and submitted within the South Hams are implemented nationally.	Proposals could have unforeseen negative impacts on communities/councils/local area.	If successfully implemented the proposals will promote a sustainable South Hams community as well as benefiting the nation as a whole.
Proposals supported by SHDC will build stronger links between the CPF and local community organisations with SHDC	If no proposals formally approved/submitted, CPF and local community will lose faith in SHDC, SHSP and	CPF membership and attendance will improve, with VCS groups, town and parish councils taking a more active role

and the SHSP.	SCA process.	in SHSP and SHDC.
To improve the SCA implementation process following evaluation of Round One.	The Government does not open a second round of the SCA.	Council will build closer relationship with the community through the CPF and SCA process.

Conclusion

13. The proposed submissions to the Selector panel encourage a sustainable community within the South Hams as well as nationwide. The approval of all the proposals put forward by the CPF and SHDC representatives will build confidence in this process and enable the seamless implementation of the Act in subsequent years.

Laura Payne
Policy Implementation Officer

Executive
16 July 2009

Alan Robinson
Strategic Director (Community)

Appendix

1. LGA Submission form for the Sustainable Communities Act

Background Documents:

Sustainable Communities Act 2007

Sustainable Communities Act 2007: A Guide

Creating Strong, Safe and Prosperous Communities: Statutory Guidance- Annex 1

Invitation letter (from Hazel Blears, SoS Communities and Local Government, 14th Oct 2008)

Sustainable Communities Act 2007: First Invitation to Local Authorities to submit proposals letter (from Stuart Hoggan, Director of Communities Group, Department of Communities and Local Government, 14th Oct 2008)

Report to and Minutes of Executive 8th January 2009 (Min.E.92/08)

Minutes of South Hams Strategic Partnership Meeting 8th Dec 2008 and 8th June 2009.

All content on South Hams Website: http://www.southhams.gov.uk/index/residents_index/ksp-community-support/community-suscomact2007.htm

- Attendance List and Full List of Proposals Raised and Votes Received
- Shortlist of Most Popular Proposals Raised at CPF
- Detail behind short listed proposals- submitted by authors
- Community Sounding Board Survey and Results 2009

Appendix 1. LGA Submission form for the Sustainable Communities Act



The Sustainable Communities Act proposal form

Using this form

This form should be used to submit proposals under the Sustainable Communities Act to the LGA for short listing. Please complete all sections and then **email a copy to selector@lga.gov.uk**. These must be received by **July 31st 2009**, and you will receive confirmation that the form has been received.

Once submitted, information within this form may be made publicly available, unless you request for it to be kept private. We will treat information submitted sensitively. If you wish to attach any relevant presentations or graphs etc. please attach them separately in the email.

For questions regarding the act or the role of the Selector, please see our [FAQs](#). Any further questions can be directed to selector@lga.gov.uk.

Section 1: Proposal Summary

Proposing Authority

Under the terms of the Sustainable Communities Act, all proposals must be submitted by a local authority, or group of authorities, in England. Any group, organisation or individual may originate or develop a proposal. However all proposals will require Local Authority endorsement and submission to the Selector.

Parish councils and other organisations and agencies must seek support and formal endorsement from a proposing local authority (defined in the Act as county councils, district councils (including metropolitan, non metropolitan and unitary authorities), the common council of the city of London or the Council of the Isles of Scilly).

1.1 Lead Authority name

1.2 Is this proposal submitted by this authority alone, or is it a joint proposal with other local authorities? (If joint please list authorities)

1.3 Who is the lead contact (s) in the authority for this proposal? Please provide email address and telephone number - *The LGA will direct any enquiries to this contact.*

Supporting Organisations

Whilst proposals may only be submitted by a local authority, we acknowledge that local partners and outside organisations may wish to register support for the proposal. This is entirely voluntary.

1.4 Please provide details below of supporting organisations to your proposal. Please explain if the organisation is a charity, company, unincorporated association or other body. If a charity or company please provide registration numbers. If a local partnership please explain the relationship to the Local Strategic Partnership for the area.

Summary of your proposal

Please summarise your proposal. You may wish to include:

- The main elements of your proposal
- What issues your proposal is addressing and how it will promote the sustainability of the local community
- Who is affected by this proposal and how?
- Which public bodies might be affected?
- What are the main actions needed from Government?
- What do you expect this proposal to achieve?

1.5 Please enter your summary below (*word limit 1000 words*)

Section 2: About your proposal

The form asks a set of questions to gather as much information as possible to allow for assessment and short-listing by the Selector. A word-limit is stated for each part of the form.

We appreciate that SCA proposals will vary in range and scope, and some questions will be more relevant than others for any one proposal. Please do not feel that answers are required for every questions or that the full word limit need be used in respect of each and every question box. If you are submitting a joint proposal, please include evidence for all areas.

Impact on sustainability (*word limit 2000 words*)

2.1 Please explain how your proposal promotes sustainability as defined locally (for example in your Sustainable Communities Strategy or LAA)

2.2 Over which geographic area will your proposal impact? (e.g. neighbourhood, town, city, sub-region)?

2.3 Who would benefit from your proposal?

2.4 What steps will you take to mitigate any adverse affects on sustainability from your proposal (if relevant)?

2.5 What project, activities and changes would take place in your area if your proposal was successful?

2.6 Does your proposal involve transfers of responsibilities between public bodies in the area? If so what are these? What budgetary implications might be involved?

Local authorities are required to 'have regard' to a set of specific issues when deciding whether to support SCA proposals. These are matters listed in Schedule 1 of the Act, as passed by Parliament¹. It is worth noting that the issues listed in the Act are not supposed to be exhaustive and that ideas can cover anything that promotes the sustainability of the local area.

Many of these matters may not be relevant to any one proposal. If you are submitting a joint proposal please include evidence for all areas.

2.7 Please identify which, if any, of the issues authorities are required to have regard to, are relevant to this proposal and include any data and information which you feel would be helpful in the assessment process.

- a) the provision of local services
- b) the extent to which the volume and value of goods and services that are- i) offered for sale, ii) procured by public bodies, and are produced within 30 miles (or any lesser distance as may be specified by a local authority in respect of its area) of their place of sale of the boundary of the public body.
- c) the rate of increase in the growth and marketing of organic forms of food production and the local economy
- d) measures to promote reasonable access by all local people to a supply of food is adequate in terms of both amount and nutritional value
- e) the number of local jobs
- f) measures to conserve energy and increase the quantity of energy supplies which are produced from sustainable sources within a 30 mile radius of the region in which they are consumed
- g) measure taken to reduce the level of road traffic including, but not restricted to, local public transport provision, measures to promote walking and cycling and measures to decrease the amount of product miles
- h) the increase in social inclusion, including an increase in involvement in local democracy
- i) measures to increase mutual aid and other community projects
- j) measures designed to decrease emissions of greenhouse gases
- k) measures designed to increase community health and wellbeing

¹ The Sustainable Communities Act is available here : http://www.opsi.gov.uk/acts/acts2007/ukpga_20070023_en_1

- l) planning policies which would assist with the purposes of this Act, including new arrangements for the provision of affordable housing

- m) measures to increase the use of local waste materials for the benefit of the community

Existing Barriers

(Please do not write more than 1000 words for 2.8 and 2.9)

2.8 What are the existing barriers to implementing your proposal?

2.9 What actions are needed by Government to make your proposal possible?

Part 3: Local Authority Endorsement

This section should be completed by the proposing local authority. (Under the terms of the act this means a county council in England, a district council (including metropolitan, non metropolitan and unitary authorities), a London borough council, the Common Council of the City of London or the Council of the isles of Scilly)

3.1 Have consultation requirements been met? (500 words max)

Please confirm that your authority has met the statutory requirements for consultation on this proposal, via one or more panels of local representatives and persons from under-represented groups constituted in accordance with the Act and statutory guidance as set out in [Strong Safe and Prosperous Communities](#).

You may wish to describe who has been involved in discussions and development of the proposal (e.g. council, local community organisations and residents groups, parish or town councils, local partnership bodies, local or national organisations, political parties, church and faith organisations, local businesses or chambers of commerce and others).

If you have not done so already please give brief details of relevant panel meetings.

Please note if you are submitting a joint application please provide details of consultation and local support across all areas.

3.2 What are the views from this consultation? You may wish to provide evidence of local support for your proposal?

This might include petitions or letters of support from the public, local councillors, Members of Parliament, businesses, public bodies and agencies? Please describe this evidence below. *(The local authority submitting the proposal is likely to wish to review such material and to summarise its content. Onward submission to the Selector of all original documentation will not normally be required).*

Proposals may include a change/transfer of functions from one person to another. If this is relevant to your proposal please confirm that the duties under clause 2, subsection 3 of the act (consulting with organisations affected by a change in location of a function) have been carried out.

3.3 Please give brief details of consultation with any affected organisations

3.4 Confirmation of council support

The process for formal endorsement is a matter for local discretion; however we anticipate that authorities will wish to gain political endorsement and clearance for the proposal through the relevant processes at local level. Please give details of how formal approval has been attained.

3.5 General comments

This is an opportunity for the local authority to express any additional comments or views on the proposal: This may include:
(1500 words max)

- the council's view of levels of local support for the proposal
- any local opposition or objections that the Selector should be aware of
- relevance of the proposal to the area's Sustainable Community Strategy and Local Area Agreement
- outcome of any local authority discussions with agencies or public bodies affected
- potential regional/national significance of the proposal, if replicated elsewhere
- any major resource implications for the council or its local partners
- any other factors influencing viability and achievability of the proposal

Part 4: Assessment by the Selector

SCA proposals will be assessed by the LGA as Selector. This will include consideration, short listing and negotiation with the Secretary of State via the LGA Selector panel made up of councillors from the four parties represented on the LGA

The LGA Selector Panel is committed to undertaking the role in a transparent manner; as such reasons for decisions on proposals will be made available.

There will be no appeals process in relation to decisions of the Selector Panel.

4.1 Do you confirm your agreement to abide by the outcome of the Selector's assessment and decision-making processes?

4.2 Would your council, accompanied by the originators of the proposal, wish to make a short verbal presentation to the Selector Panel, should this opportunity be available?

Thank you for completing this form.

Please email it to selector@lga.gov.uk by 31 July 2009.