

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Leader and Cabinet

15 January 2009

**AUTHOR/S:** Chief Executive

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### SUSTAINABLE COMMUNITIES ACT 2007

#### **Purpose**

1. To consider and make a recommendation to Council in respect of the Secretary of State's invitation under the Sustainable Communities Act 2007 to submit proposals that it considers contribute to promoting the sustainability of local communities.

#### **Background**

2. The Sustainable Communities Act became law on 23 October 2007. It aims to promote the sustainability of local communities and begins from the principle that local people know what best needs to be done to promote the sustainability of their area.
3. The Act allows local authorities to ask central government to take action that they believe would better enable them to improve the economic, social or environmental well-being of their area. The scope of the Act is very broad and does not limit the type of action that could be put forward, providing the action is within that broad scope and cannot be achieved locally through existing legislation or powers. Local authorities are not required to submit a proposal.
4. The Act also makes provision for local spending reports, which will also provide quick and easy access to information about where public money is spent. The arrangements for the first of these must be made by the Secretary of State on or before the 22 April 2009. The guidance suggests that the arrangements will be made following a period of consultation in the autumn.
5. A motion to Council to "opt in to the Act by the date specified in the letter of invitation (expected shortly) given by the Secretary of State, in order to further sustainable living in South Cambridgeshire" was received on 25 September 2008. It was resolved to refer the issue to Cabinet to allow full consideration of the implications of the Sustainable Communities Act before being resubmitted to Council for further consideration.
6. On 14 October 2008 the Secretary of State issued an invitation to local authorities to submit proposals for action. Local authorities have until 31 July 2009 to put forward proposals. All proposals should be sent to the Local Government Association (LGA), which has been appointed as the "selector" under the terms of the Act.

#### **Considerations**

7. Anyone can suggest a proposal, via their council. The expectation is that most proposals will come from community organisations, local branches of national organisations, parish and town councils, neighbourhood forums, residents and tenants associations, local strategic partnerships and other partnership bodies. Proposals can also be developed by councils themselves.

8. Local authorities must have regard to the Acts' Schedule before making a proposal. The Schedule contains a number of issues such as provision of local services, whether they are produced within a 30-mile radius, local organic food production and local jobs, for example.
9. Before submitting any proposal, local authorities must establish or recognise one or more panels of representatives of local persons and consult these panels and try to reach agreement about which proposals (if any) it wants to put forward. The phrase "representative of local persons" refers to a mix of "local persons", i.e. a selection of the individuals, groups or organisations the authority considers likely to be affected by, or have interest in the authority function. The term "representative" is not restricted to formally elected or nominated members of the community, such as councillors and must include representatives of under-represented groups.

### Options

10. To 'opt in' to the Sustainable Communities Act 2007 by:
  - (a) Publicising the process locally, including a deadline for proposals to be submitted to the Council for consideration by the panel;
  - (b) Setting up or identifying an existing panel of representatives to consider proposals and try to reach agreement with the panel as to the merits of a proposal and priorities between different proposals;
  - (c) Consulting with those parties affected if the proposal involves the transfer of a responsibility from one public body to another;
  - (d) Having regard to a list of matters set out in a Schedule to the Act; and
  - (e) Finally making a formal decision on whether to forward the proposal/s onwards to the Selector.

OR

11. To refuse the Secretary of State's invitation to submit a proposal(s) and not consider any proposals submitted to the Council.

### Implications

12. Financial	There is no specific budget to distribute under the Act. Although proposals could be made to government, which would require new funding, generally proposals under the Act will need to be resourced from existing public funds.
Legal	Local authorities are not required to submit a proposal.
Staffing	The process for submitting proposals will require input from staff e.g. publicising the process, coordinating panel meetings, advising the panel.
Risk Management	Only proposals that cannot be achieved locally through existing legislation or powers will be forward to the Secretary of State. The final decision on whether or not to implement any proposal rests with the Secretary of State. The Panel will need to consider all proposals submitted and the Council will need to manage local expectations accordingly.
Equal Opportunities	The panel must include representatives of locally under-represented groups.

## Effect on Corporate Objectives and Service Priorities

13.	<b>Work in partnership to manage growth to benefit everyone in South Cambridgeshire now and in the future</b>
	Proposals should encourage the improvement of the economic, social or environmental well-being of the local area and promote the sustainability of local communities.
	<b>Deliver high quality services that represent best value and are accessible to all our community</b>
	See above.
	<b>Enhance quality of life and build a sustainable South Cambridgeshire where everyone is proud to live and work</b>
	See above. Specifically, a) Listening to and engaging with the local community; b) Working effectively with voluntary organisations and parish councils to improve services through partnership; c) Promoting sustainability for the benefit of the local and global environment.

## Recommendations

14. Cabinet is requested to recommend that Council 'opts in' to the Sustainable Communities Act 2007 by:
- Publicising the process locally, including a deadline for proposals to be submitted to the Council for consideration by the panel;
  - Setting up or identifying an existing panel of representatives to consider proposals and try to reach agreement with the panel as to the merits of a proposal and priorities between different proposals;
  - Consulting with those parties affected if the proposal involves the transfer of a responsibility from one public body to another;
  - Having regard to a list of matters set out in a Schedule to the Act; and
  - Finally making a formal decision on whether to forward the proposal/s onwards to the Selector.

**Background Papers:** the following background papers were used in the preparation of this report:

- LGA Website (<http://www.lga.gov.uk/lga/core/page.do?pageld=561616>)
- Sustainable Communities Act 2007 – First Invitation to Local Authorities to Submit Proposals, Letter from Secretary of State for Communities and Local Government (14 October 2008)
- Sustainable Communities Act 2007: A Guide, Department for Communities and Local Government (February 2008)

**Contact Officer:** Gemma Barron – Partnerships Manager  
Telephone: (01954) 713340