

# AGENDA



For a meeting of the
<b>COMMUNITIES POLICY DEVELOPMENT GROUP</b>
to be held on
<b>THURSDAY, 19 JULY 2012</b>
at
<b>2.30 PM</b>
in the
<b>BURLEY ROOM, STAMFORD ARTS CENTRE, STAMFORD</b>
<b>*PLEASE NOTE THE VENUE*</b>
Beverly Agass, Chief Executive

Group Members:	Councillor Kelham Cooke, Councillor Phil Dilks, Councillor Breda Griffin, Councillor John Nicholson (Chairman), Councillor Mrs Jean Taylor, Councillor Jeff Thompson (Vice-Chairman) and Councillor Raymond Wooten
Portfolio Holders:	Councillor Teri Bryant (Good Housing) Councillor Mrs Frances Cartwright (Grow the Economy and Economic Development) Councillor John Smith (Green, Healthy and Arts)
Support Officer:	Jo Toomey                      Tel: 01476 40 61 52 E-mail: <a href="mailto:j.toomey@southkesteven.gov.uk">j.toomey@southkesteven.gov.uk</a>

**Members of the Group are invited to attend the above meeting to consider the items of business listed below.**

- 1. COMMENTS FROM MEMBERS OF THE PUBLIC**
- 2. MEMBERSHIP**

The Group to be notified of any substitute members.

**3. APOLOGIES**

**4. DISCLOSURE OF INTERESTS**

Members are asked to disclose any interests in matters for consideration at the meeting.

**5. ACTION NOTES FROM THE MEETING HELD ON 17 MAY 2012**

**(Enclosure)**

**6. UPDATES FROM PREVIOUS MEETING**

**7. WIND ENERGY SUPPLEMENTARY PLANNING DOCUMENT**

The PDG will receive a presentation.

**8. HOUSING PROGRAMME OF WORK**

The PDG will be given a brief presentation on the housing programme of work.

**9. RURAL BROADBAND**

A briefing note on the provision of rural broadband is attached. **(Enclosure)**

**10. SUSTAINABLE COMMUNITIES ACT**

A briefing on the Sustainable Communities Act produced by Local Works is attached. **(Enclosure)**

**11. WORK PROGRAMME**

**12. ANY OTHER BUSINESS, WHICH THE CHAIRMAN, BY REASONS OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT**

## MEETING OF THE COMMUNITIES POLICY DEVELOPMENT GROUP

THURSDAY, 17 MAY 2012 2.30 PM



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### GROUP MEMBERS PRESENT

Councillor Phil Dilks  
Councillor Breda Griffin  
Councillor John Nicholson (Chairman)

Councillor Mrs Jean Taylor  
Councillor Jeff Thompson (Vice-  
Chairman)  
Councillor Raymond Wooten

### PORTFOLIO HOLDER

Councillor Terl Bryant (Good Housing Portfolio Holder)

### OFFICERS

Strategic Directors (Ian Yates, Tracey Blackwell)  
Head of Finance (Richard Wyles)  
Housing Solutions Service Manager (Kevin Martin)  
Senior Housing Options Advisor (May Read)  
Planning Policy and Partnerships Service Manager (Karen Sinclair)  
Principal Democracy Officer (Jo Toomey)  
Community Engagement and Policy Development Officer (Carol Drury)

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#### 1. APOLOGIES

An apology for absence was received from Councillor Cooke.

#### 2. DECLARATIONS OF INTEREST

No declarations of interest were made.

#### 3. ACTION NOTES FROM THE MEETING HELD ON 8 MARCH 2012

The action notes from the meeting held on 8 March 2012 were agreed as a correct record subject to the deletion of the words "*stopping benefits when the grant was spent*" (minute number 49, paragraph 4).

#### 4. UPDATES FROM PREVIOUS MEETING

An update was given on rural broadband:

- Communities in Lincolnshire were asked to register their support for proposals on rural broadband improvements.
- Two communities in the county achieved over 100 registrations; both were in South Kesteven - Tallington (106) and Foston (126).
- District councils were being asked to sign a memorandum of understanding, which formalised partners' commitment.
- Lincolnshire County Council hoped to begin procurement in June/July 2012, award the contract in late autumn and launch early in 2013.
- There was a small amount of funding available for pilot projects in villages. Lincolnshire County Council would release further information shortly.
- A recent project in Lancashire had seen village residents in Forest of Bowland running their own broadband project.

#### ***Action Point***

***Research the broadband project in Lancashire and report back to the PDG.***

#### 5. LINCOLNSHIRE COUNTY HOMELESSNESS STRATEGY

The Housing Solutions Service Manager and Senior Housing Options Advisor gave a presentation on the Lincolnshire County Homelessness Strategy. This was a requirement of the Homelessness Act 2002. A countywide approach looked to ensure an equitable service across the county. Consultation had been undertaken with a range of stakeholders. The strategy took account of local, regional and national influences. The key themes were partnership, prevention, young people, rough sleepers and welfare reform.

The Council had a statutory duty to provide a free housing advice and homelessness service for all. It was also required to undertake prevention work. Since the last strategy was introduced, a number of outcomes had been achieved:

- 6-bed homeless hostel in Grantham
- Support service for 130 households on an on-going basis across the district
- Foyer status for a young persons project in Grantham, which incorporated accommodation, teaching life skills, educational attainment and return to work
- Countywide rough sleeper service
- Reduced number of households in emergency accommodation across Lincolnshire

Compared to other districts in Lincolnshire SKDC received the highest number

of homelessness applications and acceptances. Affordability was highlighted as a key issue affecting the acceptance rate of homelessness applications, particularly regarding properties in the south of the district and properties for smaller households.

A successful homeless application could see people housed in council properties, through registered social landlords or through the private rented sector.

PDG members asked questions:

- Priority was not currently given to ex-service personnel – homelessness law was applied as in all cases; any change would need incorporating in the Housing Allocations Policy. The Council worked closely with organisations including SSAFA.
- Some tenants could experience difficulties as a consequence of welfare reform, which would see benefits paid directly to them. It was hoped discretionary arrangements would be included in legislation that would allow in some circumstances benefits to be paid directly to the landlord when they are considered fit and proper.
- Customer uplift as a result of welfare reform was difficult to anticipate, however the Council was working on a projection of 20%.
- Where a customer approached the council and appeared to be homeless and in priority need, the Council had a duty to make enquiries into the claim.
- If people were unsuccessful in a homelessness application, appeal mechanisms were in place, which were explained to applicants.
- A recent count of rough sleepers identified lower numbers in the district than some other parts of Lincolnshire
- Capacity within Housing Solutions was sufficient to meet demands. The focus of the service was working as efficiently and effectively as possible.

Officers were thanked for the presentation and Councillors commended the work of the team.

## **6. REINVIGORATING THE RIGHT TO BUY**

A presentation was made to the PDG which summarised a new scheme in relation to right to buy. To reinvigorate the scheme, government increased the percentage discount available. As part of the self-financing of the Housing Revenue Account, the government formula incorporated an estimate on right to buy purchases (11.5 sales). The Council had to choose whether income from sales above this number would be paid into a national pool for the development of new affordable housing, or whether it would be kept by the Council for local investment in affordable housing.

If the Council chose to pool deposit receipts, it could bid into the pool. If it retained receipts, it would be required to deliver housing within 3 years of the

sale however it could choose how the housing was delivered; options included the council building affordable homes, new homes built by registered social landlords and purchasing existing homes on the open market. Building new homes would help attract new homes bonus.

The Council needed to choose whether it would retain or pool receipts by 27 June 2012. If the decision was taken to retain receipts, the Council would have the opportunity to withdraw after each quarter. Failure to build new affordable homes within three-years would mean repaying the receipts to government with interest.

PDG members considered the options and recommended that the receipts from right to buy be retained by the Council for local investment in affordable housing. The Portfolio Holder would take a non-key decision which determined the Council's approach.

***Recommendation:***

***That the Council retain receipts from right to buy sales for local investment in affordable housing.***

*16:11-16:16 The meeting adjourned*

## **7. NATIONAL PLANNING POLICY FRAMEWORK**

At its meeting on 1 September, the PDG considered the draft National Planning Policy Framework (NPPF) and made a number of recommendations which formed the basis of the Council's response to consultation. The final NPPF was published on 27 March 2012 and was effective immediately. It replaced all previous planning policy statements and guidance notes, however some companion documents remained. Transitional arrangements were incorporated in respect of planning policy documents, which had full weight for 12-months. During this period the Council could review and update its local plans or choose to use only the NPPF.

The PDG was provided with a summary of the final document in respect of the recommendations it made. The framework reiterated that the planning system was plan-led.

The draft NPPF required that councils identify a 5-year supply of housing land plus a 20% buffer. This was revised so that councils with a reputation for successfully delivering housing were only required to identify an additional 5%.

Concerns were expressed that the draft NPPF placed the onus on local authorities in respect of economic growth. In the final document, the emphasis on the role of local authorities remained however there was recognition that local authorities needed to work with the business sector.

Wording that the PDG had found ambiguous in the draft had been clarified in

the final version.

More discretion was given to local authorities. The draft implied that in respect of development, Greenfield land could come forward first. The final version said it was up to local authorities to make their decision based on which sites it considered most sustainable. The prescribed housing density target had been removed, which left it a matter for local policy making. The final NPPF enabled local authorities to give equal weight to social, environmental and economic factors when taking decisions.

A duty to co-operate had been introduced which required neighbouring authorities working together on strategic cross boundary issues. There was also a requirement to work with other public bodies.

The consultation processes were not as prescriptive as they had been with the Local Development Framework. The Council could also look at adopting development orders, which would give local discretion to waive the need for planning applications for certain forms of development in prescribed areas.

*The Community Engagement and Policy Development Officer provided a summary of her role and the ways in which she could help the policy development groups, including work programming and research.*

## **8. CAR PARKING STRATEGY WORKING GROUP**

The first meeting of the car parking working group had taken place on 20 April 2012. The notes of the meeting were circulated with the agenda. Two further working group meetings would be arranged for June 2012.

## **9. WORK PROGRAMME 2012-13**

A Green Waste Policy update and Civilian Parking Enforcement were suggested as work programme items.

### ***Action Point:***

***The Community Engagement and Policy Development Officer to work with Heads of Service to programme work for 2012/13.***

## **10. CLOSE OF MEETING**

The meeting was closed at 17:01.

## **Communities PDG**

### **Briefing Note**

#### **Fibre Optic Broadband in South Kesteven**

##### **Background**

The County and District Councils of Lincolnshire are currently working together in the development and delivery of the onlincolnshire project. Government has set a target of 90% of the UK to have superfast broadband with the remaining 10% getting at least 2Mbps by 2017. The concern from the perspective of a district like South Kesteven is that this 10% is likely to be the rural areas of the country. In line with national policy the Digital Vision of onlincolnshire states that:

“By 2017 our lives and life chances will be transformed by the availability and use of digital technologies that supports a healthy sustainable economy and vibrant communities, enriches people’s lives and gives access to high quality, efficient public services.

The vision will be achieved through:

- ✓ Superfast ‘Next Generation Broadband’ to a minimum of 90% of premises, with the remainder receiving at least 2 Mbps by 2015
- ✓ Seeking additional investment and demonstrating demand to achieve near to universal coverage with easy, affordable access by 2017
- ✓ Facilitating the infrastructure required by the private sector to maximise coverage of mobile connectivity and other digital services
- ✓ Active citizens, businesses and communities who are digitally included

£14 million from the County Council and District Councils (£10million from County – £4 million collectively from Districts) has been added to Government funding of a further £14 million to roll this out across the County. South Kesteven District Council’s contribution to this funding totals £500,000. The combined £28 million will be used to procure services through a tendering process from a national provider – e.g. BT or Fujitsu.

Broadband Delivery UK (BDUK) has been created as a delivery vehicle for the Government’s policies, reporting to Ed Vaizey, the Minister for Culture, Communications and Creative Industries. BDUK is working with Town and Parish Councils to assess the need across Lincolnshire.

There are a few concerns within the Lincolnshire model that the 10% of locations only achieving the 2Mbps capacity could all be in one District (it is not likely but it is something to consider). Strategic Director for Corporate Focus Daren Turner is however working with the Lincolnshire partnership to ensure that South Kesteven remains a priority for roll out but the most effective way of ensuring the District is high on the agenda is by residents logging an interest on the website of onlincolnshire. The more individuals, communities and businesses that log an interest, the more likely they are to influence the providers about where and how they prioritise their work programme.

The following tables show the status of registrations up to the end of June 2012.

# Total registrations by category and district

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	Number of registrations per category			
District	Business	Communities	Resident	Total
Boston	39	13	433	485
East Lindsey	220	40	1,578	1,838
Lincoln	44	2	119	165
North Kesteven	89	17	899	1,005
South Holland	53	-	236	289
South Kesteven	100	25	854	979
West Lindsey	117	25	1,135	1,277
<b>Total</b>	<b>662</b>	<b>122</b>	<b>5,254</b>	<b>6,038</b>

# Total registrations in each parish for South Kesteven

Parish	Number of registrations per category					
	Business	Communities	Resident	Total	Total estimated dwellings	Registration percentage per household
Allington	4	4	67	75	369	20.33%
Ancaster	1	1	8	10	733	1.36%
Aslackby and Loughton	4		17	21	123	17.07%
Barkston			6	6	245	2.45%
Barrowby	2		10	12	854	1.41%
Baston	4	1	8	13	580	2.24%
Belton and Manthorpe	1		3	4	218	1.83%
Billingborough	1	1	7	9	628	1.43%
Boothby Pagnell		1	7	8	56	14.29%
Bourne	7	1	9	18	6,369	0.28%
Braceby and Sapperton		1	2	3	23	13.04%
Careby, Aunby and Holywell	1			1	65	1.54%
Carlby			4	4	201	1.99%
Carlton Scroop		1	5	6	91	6.59%
Castle Bytham	1		4	5	316	1.58%
Caythorpe	1	1	39	41	593	6.91%
Claypole		1	22	23	547	4.20%
Colsterworth	3		47	50	753	6.64%
Corby Glen			8	8	462	1.73%
Deeping St James	2		11	13	3,028	0.43%
Denton			2	2	134	1.49%
Dunsby			2	2	53	3.77%
Easton	1			1	40	2.50%
Edenham			1	1	123	0.81%
Folkingham			8	8	393	2.04%
Foston	3		146	149	218	68.35%
Fulbeck	2		21	23	255	9.02%
Grantham unparished	6		23	29	16,225	0.18%
Great Gonerby	2		2	4	969	0.41%
Great Ponton	1		1	2	185	1.08%
Greatford			1	1	109	0.92%
Gunby and Stainby			1	1	61	1.64%
Haconby	2		7	9	192	4.69%

Parish	Number of registrations per category					
	Business	Communities	Resident	Total	Total estimated dwellings	Registration percentage per household
Harlaxton			2	2	375	0.53%
Heydour			10	10	144	6.94%
Honington			1	1	69	1.45%
Horbling	1		4	5	207	2.42%
Hougham			8	8	72	11.11%
Hough-on-the-Hill	3		14	17	173	9.83%
Ingoldsby			3	3	122	2.46%
Irnham	2		8	10	92	10.87%
Kirkby Underwood	3		13	16	89	17.98%
Langtoft	11		2	13	839	1.55%
Lenton, Keisby and Osgodby			5	5	66	7.58%
Little Ponton and Stroxton			1	1	76	1.32%
Londonthorpe and Harrowby Without			12	12	2,145	0.56%
Long Bennington	1	1	5	7	879	0.80%
Market Deeping	1	1	6	8	2,572	0.31%
Marston			11	11	158	6.96%
Morton	2		8	10	1,030	0.97%
Normanton			1	1	45	2.22%
North Witham			4	4	79	5.06%
Pickworth		1	2	3	74	4.05%
Pointon and Sempringham		1	3	4	244	1.64%
Rippingale	5		13	18	360	5.00%
Ropsley and Humby	2		10	12	373	3.22%
Sedgebrook	1		6	7	142	4.93%
Skillington			8	8	140	5.71%
South Witham			4	4	722	0.55%
Stamford	3		9	12	9,407	0.13%
Stubton			3	3	66	4.55%
Swayfield		1	9	10	144	6.94%
Swinstead			2	2	132	1.52%
Syston	2		2	4	72	5.56%
Tallington	3	5	100	108	191	56.54%
Thurlby	2		21	23	907	2.54%
Toft with Lound and Manthorpe			1	1	124	0.81%
Uffington	1		5	6	305	1.97%
Welby	3	1	21	25	83	30.12%
West Deeping			2	2	126	1.59%
Westborough and Dry Doddington	2	1	12	15	160	9.38%
Witham on the Hill			2	2	90	2.22%
Woolsthorpe by	2		2	4	190	2.11%

Parish	Number of registrations per category					
	Business	Communities	Resident	Total	Total estimated dwellings	Registration percentage per household
Belvoir						
<b>Total</b>	<b>100</b>	<b>25</b>	<b>854</b>	<b>979</b>	<b>58,495</b>	<b>1.67%</b>

Villages that have not logged any interest will not appear in these lists.

## DIY Broadband

There is a growing amount of evidence that communities across the country are choosing not to wait for the roll out of this programme. Here in South Kesteven the South Witham Broadband Project was developed in 2004 and covers South Witham, Thistleton, Colsterworth and Woolstrophe. This network is fed from a satellite service provided by RapidSat. This project was funded by local residents and businesses and also received external funding from a variety of sources including Awards for All, Lincolnshire County Council and the Welland SSP. The South Witham Broadband Project is also working with other villages to assist with their broadband connections – these include Easton on the Hill and Foston.

Other communities to successfully deliver their own broadband connection include:

Ashby de la Launde in North Kesteven – this village brought in an external company – Fibrestream - to lay a fibre optic ring main after BT informed the residents that a connection was not economically viable. Fibrestream spent more than £100,000 on Ashby de la Launde's internet network. The company will recoup this outlay by charging each house a £125.00 connection fee – then about £30.00 per month.

The residents of Lyddinton in Rutland raised £37,000 to offer 2000 homes a super-fast broadband connection by taking over responsibility for an existing BT network. The Rutland Telecom scheme was a joint effort between villagers and a local ICT firm that was reselling BT's broadband. The residents of Lyddinton asked Openreach, the BT spin-off that has responsibility for the UK's telephone network to supply fibre optic cable to a street cabinet in the village. Rutland Telecom has been approached by 40 other rural community groups to see if a similar solution is possible in their area. Rutland Telecom currently offers the residents of Lyddinton speeds of up to 40Mbps.

The Forest of Bowland and the Lune Valley, recently featured on Radio 4 had a project aim to install a fibre optic superfast broadband network available to every property in the area. The project planned to connect properties across 8 parishes in 2012, then extend to further parishes in subsequent years. The network is owned, managed and supported by members of the community. Members of the local community play a variety of different roles on the project, including digging trenches, administration, marketing and technical support. They are also being trained to blow and splice fibre optics. Specialists have been used for specialist work (e.g. laying cable under roads). Delivered through a Community Benefit Society and financed through a community share offer and work shares - shares cost £1. The minimum investment is £100 and the maximum is £20,000. Free connection and use for the first year is available to investors of £1500. The cost to deliver the first phase is £1.86m.

The cost to customers for a 1,000 megabit fibre to the home connection is £30 a month with a £150 connection (1,000 megabits = 1 gigabyte per second – 500 times higher connection speed proposed in the government's universal service commitment)

## Moving Forward in South Kesteven

Despite the evidence of success from some communities in developing their own solution to fast and efficient broadband there are negatives which need to be acknowledged and addressed. As a District Authority we could take this model forward ourselves – supporting local communities to help themselves in establishing a broadband connection. It could be viewed that we should consider utilising the £500k already committed to the onlincolnshire project to this end however, that would result in vastly reduced coverage than if we continue in partnership with the County Council and other Districts to support the DBUK vehicle for

delivery. If we were, for example, to utilise the £500k we could perhaps bring superfast broadband to 10 villages. By committing our support to the bigger project we can be certain to provide the widest possible coverage across South Kesteven.

Communities going it alone like South Witham, Ashby de la Launde and the Forest of Bowland have proven success with gaining funding through a variety of methods and installing broadband. It could be argued that installation can be carried out quite easily however there is information to suggest that the cost of upgrades in technology would prove prohibitive to individuals and villages which could see them moving from the front to the rear of the pack!

## **Conclusion**

In conclusion it is important to reiterate the need for communities, individuals and businesses to register an interest in super fast broadband delivery on the onlincolnshire website - <http://www.onlincolnshire.org/>. Alternatively residents can express an interest in writing to Lincolnshire County Council.

June 2012

## The Sustainable Communities Act

### A four page briefing for Councillors and Officers

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#### 1. Introduction

The Sustainable Communities Act is possibly the most radical new law that our country has seen in over a century. This is because it establishes, for the first time in our nation's history, a new 'bottom up' process where **councils are in the driving seat on what government does to help local areas.**

The Act became law in October 2007 with full cross party support. Local Works, a coalition of over 90 national organisations, had campaigned for 5 years to see this happen. The campaign was a great victory in recognising the important and valuable roles that councils have in our system of governance.

The Act sets up a new process of governance where councils can drive central government action, policy and assistance to promote and protect thriving communities. This means that the potential the Act presents councils is huge. Councils can use it to do things like gain new powers, devolve existing powers and money from central control to local control, change the planning rules and reduce centrally imposed duties.

It is crucial to recognise that the Act does not merely set up yet another meaningless consultation process. Government can not just say 'no' to councils' ideas made under this Act. There is a duty on central government to **try to reach agreement** with the LGA which gives the process real 'teeth'.

The Act also gives councils the power to make proposals for a transfer of public money and powers from central control to local control.

#### 2. What the Act says

The first important aspect of the Act is that **it impacts on central government, not on councils.** The aim of the process is to make government do more to help councils promote sustainable communities: **this is NOT about Whitehall stepping in and taking over – it is about making government responsive to the demands and needs of councils.**

The Act sets up a process, by which councils can drive government action. This means that:

1. The Act gives councils the power to make proposals to the Secretary of State (SoS) as to how government can 'assist councils'<sup>1</sup> in promoting the sustainability of local communities'. The SoS then has a duty to 'try to reach agreement' with councils, via their representative body, the LGA, called 'the selector' in the Act, on how those proposals will be implemented. **It is this process that puts councils in the driving seat as to what the government must do.**

2. The Act defines local sustainability as 'encouraging the economic, social and environmental well being of the authority's area' and that "social well-being" includes participation in civic and political activity'.

3. When making their proposals to the SoS, councils must involve local people who, in the opinion of the council, represent interested local persons. Guidance from government encourages councils to set up, or recognise if they already exist, 'panels of representatives of local people' (or citizens' panels). Councils can then 'try to reach agreement' (i.e. **not** merely consult) with those panels regarding ideas for proposals to put to the SoS for government action.

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<sup>1</sup> i.e. district/borough/city/unitary and county councils

### **3. How the process works, step by step**

1. The Secretary of State, as required, has invited councils (district, borough, city, unitary and county) to make proposals to central government on how central government can help promote local sustainability as defined in the Act (see definition above).
2. Councils can submit proposals at any time, once they have agreed those proposal with their communities (see 3. below). There is no deadline. There is also no limit on how many proposals a council can put forward.
3. Those councils that choose to submit proposals must first consult **and try to reach agreement** with representatives of local people. This is the mechanism in the Act's process whereby residents can put forward their ideas on what proposals they think the council should make to government.
4. Councils that choose to can submit joint proposals with other councils from nearby or across the country. Doing this is worth while as it is likely to give added weight to such proposals.
5. All proposals made by councils go first to government. These are considered and government responds with whether and how they will implement each proposal. Government must give reasons for why they have said 'no' to those they do not implement.
6. The LGA as the 'selector' can then resubmit any proposal that the government has initially rejected. Central government must then consult **and try to reach agreement** with the LGA on whether and how that proposal will be implemented. This means that government must have a dialogue with the LGA, with iteration, co-operation and compromise, where **the final decision on what is to be done is taken together**. This is the crucial part of the process that gives the ideas councils put forward a much better chance of success than in mere consultation. Government can not simply reject proposals because they don't like them or don't want to take any action on them.
7. A new legal agreement between the government and the LGA will require proposals to be fully dealt with within six months of being submitted.
8. Government action is then taken on proposals that have been agreed to be implemented. If the agreed action on a proposal has not been completed within a year then government must publish a progress report.

### **4. Reasons why councils should choose to use the Act**

The Act presents a unique opportunity for councils. Councils have a choice – they can use the Act's new process or they can ignore it. The philosophy behind the Act is that there are too many centrally imposed duties on councils and so they it allows them to be free to choose whether or not to use this process and be accountable only to their electorate, not central government.

Here are some important reasons why choosing to use the Act will benefit councils:

#### **1. Power to determine the action and assistance government gives**

Councils that use the Act's process will be determining the nature of what they gain from using it. Any actions and assistance that government gives to councils will be a direct result of proposals made by those councils.

#### **2. Strength in numbers**

Councils can act in unison and make joint proposals. Government will have a harder time refusing to act on such well supported proposals.

#### **3. Transferring powers and monies from central to local control**

The Act also enables councils to request the transfer of powers and monies from government control or government agency control to themselves. So councils could gain control of powers and spending that affect their local areas that are currently under central control. This is very significant: consider that the vast majority of public money currently spent in any local area is not controlled by councils but by central government departments, agencies and QUANGOs.

#### **4. Democratic citizen involvement**

All politicians (and many council officers) talk a lot about lack of public involvement in democracy. The most recent Hansard Society Audit of Political Engagement showed that more than ever people do not feel it is worth getting involved in political processes. Because the Act's process is different and truly 'bottom-up', by

using it councils will involve people in improving their communities.

Analysis has shown that where councils have used the Act local people who got involved have felt something different, special and inspiring was happening due to the engagement and involvement they had with their councils.

## 5. A response to concerns councils may have

Below are possible concerns councils may have when considering using the Act and responses to them.

**“But we already have the Localism Act, the general power of competence and the power and/or plans to promote sustainable communities.”**

Whilst new powers for councils in the Localism Act and the general power of competence are welcome, this is the only Act to have set up a process where councils drive what is done. **It impacts on central government.** It is about gaining new powers, resources and assistance from government beyond that which councils now have. Consider too that the many good plans that councils have to promote local sustainability could be better realised if government gave more help - this process can be used to gain that new help.

**“But this will cost money and resources.”**

Whilst it is true that using the Act will take up officer time to instigate, this has to be weighed against the many potential benefits of using the Act, such as the potential of gaining powers to raise more money or devolving control of existing public money from central to local control.

**“But it’s not worth the effort, the process has no teeth, government won’t grant anything we propose.”**

Consider that we have never before had a bottom up process in law like this. Never before has there been legislation that requires central government to **‘try to reach agreement’** with the LGA on what councils want. This is a legal mechanism designed in favour of councils. As well as this new legal mechanism also consider that there will be heavy political pressure on the government to act on the proposals councils make.

Also consider that there have already been results. Councils that have used the Act and had proposals agreed and implemented have truly driven central government action to help their areas.

**“But there is no community decline in our area at all.”**

Given the evidence of the national decline of things like local public services, local shops, local trade and local community activity this would be remarkable if true. However, whether true or not, councils can make proposals for government action not just to reverse community decline but to protect and further improve communities that are already thriving.

## 6. Examples of what councils could propose and gain by using the Act

Firstly, what constitutes a valid proposal under the Act’s process? This is a question that councillors, officers and citizens who get involved may ask. There are two simple criteria for a valid proposal:

- a) That the proposal is something that only central government could do. So if a council already has the power to do it the proposal not valid.
- b) That it can be shown that the proposed action from central government would promote sustainable communities as defined in the Act (see above for that definition).

Here are some examples of what councils could propose and gain by using the Act:

- 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. on Post Offices and local services.
- 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 use the planning system to stop developers from demolishing public services (for example pubs) that they own in order to then apply for planning permission to develop the site.

- That government give councils the power to create a separate fund for the revenue raised from council tax on second homes to be used for reinvestment in local affordable housing needs.
- That government give councils the power and resources to refurbish existing housing in the council's area to reduce fuel poverty and increase energy efficiency (e.g. by fitting insulation).
- That government give councils new powers to allow the increase of local allotment provision and other measures for people to grow and sell local food.
- That government give councils the power and resources to increase local recycling and/or the amount of recycling that is processed locally.
- That government give councils the power to influence and determine how to spend money controlled by a central government agency that is already being spent in the area.
- That government give councils greater powers over local bus company operators and other local public transport providers.
- That government give councils the power to designate land for 'self build' and for community land trusts.

## 7. What has happened so far

The first 'round' of the Act occurred in 2008-10. One hundred councils submitted a total of 300 proposals. The process was different then: The LGA short listed 199 of those 300 proposals and agreed with central government which would be implemented. Note the good news: now councils can send proposal directly to government – there is no short-listing process.

Here are some of the proposals that were implemented by the government:

- Councils will be given the power to offer discretionary business rate relief to encourage and sustain small and medium sized **local businesses** and **shops**.
- Measures are being introduced to make it easier to introduce renewable energy schemes by introducing permitted development rights for small scale **renewable** and **microgeneration** energy.
- Sheffield City Council have been given new responsibility to maintain and sustain the local **Post Office** network, which if successful will be offered to other areas around the country.
- A new "**community right of purchase**" will be established, allowing communities to bid to take over local assets, including giving community groups time to prepare a bid.
- Communities that host **renewable energy** projects will be allowed to keep the additional business rates these projects generate.

An Amendment Act in 2010 and new regulations in 2012 have improved the Act's process for councils. This guide incorporates all those changes and improvements.

## 8. Help from Local Works and contact details

Local Works has produced a number of briefings and guidance sheets on the Sustainable Communities Act. These are available on our website - [www.localworks.org](http://www.localworks.org) or by contacting us using the details below.

Local Works Co-ordinator, Steve Shaw, is available to give presentations and Q&A sessions at council meetings on the Act. He has extensive experience doing this. To arrange this please contact Local Works using the details below.

### Contact Details

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