

Sustainable Communities Act 2007



Introduction

The Sustainable Communities Act offers an opportunity for councils and communities to put forward new thinking on how to meet the challenges of sustainability. The LGA, as Selector, is determined to use the Act to create real change and decentralisation.

The Act in brief

The Sustainable Communities Act became law in October 2007. It provides a statutory framework for councils and community organisations to put forward proposals for decentralisation and reconfiguration of public services, and changes to the pattern of public spending, which would contribute to sustainability. The main provisions of the Sustainable Communities Act are:

- The Secretary of State should publish local spending reports, statements showing the scope of public spending by all bodies exercising public functions in the area
- Local proposals from councils can be put forward to the Secretary of State, which will improve the economic, social and environmental well-being of the area, including the participation in civic and political activity
- This can include proposals to transfer functions from one organisation to another
- Councils should develop proposals through wider community consultation, using some kind of panel of local people
- In developing proposals, councils should have regard to a range of sustainability issues such as local production of goods, local food, transport, energy use, and others
- The local proposals should be considered and short-listed by a 'selector' representing the interests of local government, before being put to the Secretary of State for a response
- The Secretary of State should publish an action plan in response to this, and should report annually to parliament on progress made as a result of this Act.

Background

The Sustainable Communities Act was developed by a five year campaign by a coalition called Local Works. This originated in work published by the New Economics Foundation on 'ghost town Britain' on the loss of small local businesses and community facilities, and the links between this and wider sustainability concerns. Their steering group included: the New Economics Foundation, National Federation of Retail Newsagents, Unison, Shelter, Unlock Democracy, Friends of the Earth, Soil Association, Sustain, the National Federation of Community Organisations, the Small and Family Farms Association, Transport 2000, and CAMRA.

Local Works ran an effective lobbying operation in support of the Bill, including a parliamentary Early Day Motion signed by 363 MPs, showing cross-party support. It was taken up as a Private Members Bill by Nick Hurd, Conservative MP for Ruislip-Northwood, when he won the Private Members Bill ballot in 2006. During its parliamentary passage, the Bill (in an amended form) gained support of the government, and Phil Woolas as the then Local Government Minister. The Bill has had several very major revisions in the course of its history.

The Local Works role has now been taken on by Unlock Democracy (the successor to Charter 88 and the New Politics Network), who plan to continue to promote the use of the legislation to encourage local campaigners to put forward proposals for decentralisation and sustainability. Their priorities are to promote use of the Act to community organisations, to produce a guide to the Act for community use, and to run workshops for community organisations. They will also be encouraging their coalition organisations to lobby councils to make use of the Act.

Implementing the Act

LGA has accepted the role as the 'selector' described in the Act, and will publish proposals about how the selector role will be carried out, including how the LGA will work with the Secretary of State. There will also be information on how to put forward proposals, thoughts on encouraging participation locally, and ideas on the type of changes which come within the scope of the Act.

CLG has published a short guide to the Act, and draft Statutory Guidance and Regulations. The finalised Guidance will become part of the *Creating strong and prosperous communities* Statutory Guidance (covering Local Area Agreements, and related issues).

The initial invitation to localities to make proposals must be made by the Secretary of State by October 2008. We do not yet know how long a time period will then be given for proposals to be put forward. Local Works have suggested six months to a year would be a suitable period.

Proposals can then be developed by councils in consultation with their wider community for submission to the selector, and then to the Secretary of State. If a council chooses to respond to the invitation, it should as a minimum establish a panel representing the wider community to consult, and could choose to run a much more extensive programme of publicity and participation.

The local spending reports are not required by the Act, until April 2009. The sponsors of the Bill and the LGA believe that for the Act to be effective, this information needs to be available at the time of the Secretary of State's invitation, and will seek to have publication brought forward.

The Secretary of State must report annually to parliament on implementation of the Act, and the invitation to make proposals would become a regular cycle.

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