

## **The Sustainable Communities Act**

### **Purpose of report**

For decision.

### **Summary**

The LGA played a statutory role as the Selector under round one of the Sustainable Communities Act (SCA). This paper seeks the views of members on the involvement of the LGA in the Selector Panel under round two of the Act.

Councillor Keith Mitchell CBE, the Chairman of the Selector Panel, will present this item to the Leadership Board.

### **Recommendation**

Members are asked to confirm their preferred option for the Selector Panel and consider the decision to make a formal response to Localworks following their recent lobbying campaign as detailed in **paragraph 5**.

### **Action**

As directed by the Board.

### **Chairman of the Selector Panel**

Councillor Keith Mitchell CBE

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## **Sustainable Communities Act**

### **The Role of the LGA**

1. The Sustainable Communities Act (SCA) sets out a process by which local communities, through their council, can seek the removal of central barriers to local action. The LGA undertook a role as Selector responsible for shortlisting the first round of proposals that came forward under the Act.
  - 1.1 The Government has proposed a new model for handling proposals under the Act. In the future, there will no longer be formal SCA rounds. The role of the Selector panel will no longer be able to filter proposals but to appeal decisions and re-submit proposals which the Secretary of State has decided not to implement.
  - 1.2 The LGA role as Selector is moving therefore from a shortlisting mechanism to an appeals panel.

### **Membership of the Selector Panel**

2. Government has recently invited the LGA's views on expanding the membership of the Selector panel to include a Localworks representative in addition to four LGA members.

### **Resource and Financial Implications**

3. LGA resource commitment required would mainly be in the form of officer time to support the panel. The new arrangements will be less resource intensive than the first round but the amount of Selector Panel and officer time will depend on the number of proposals that are "called in".
  - 3.1 CLG have confirmed they will pay for the Selector role in future but the payment will be significantly less than for round 1 reflecting the new arrangements.

### **Risks and Implications for the LGA**

4. The process of "calling in proposals" at times placed the LGA in a sensitive position with its membership. Under round one, the LGA was pulled into a local dispute between two member authorities which ultimately resulted in legal proceedings. In general much work was necessary to maintain relationships with member authorities and maintain the reputation of the sector.

**Item 2**

- 4.1. Experience from the previous round was that Government's response to proposals was positive where they were in accordance with existing or planned policy commitments. It is less clear that the process has been successful in triggering more radical action or policy change. It is also not clear what progress to date the Government has made on the 37% of shortlisted proposals under round one upon which they agreed to act.
- 4.2. Localworks have recently been lobbying to keep the duty on councils to consult their communities on proposals. They argue that proposals to remove the duty will take away the rights of local residents to participate fully in the Act. LGA members and local councils have received these lobbying requests over recent weeks asking for their support. Localworks have also requested meetings with Group Leaders to discuss this matter further. The proposed reforms to the SCA have been designed to reduce centrally set requirements on local people to participate under the Act whilst retaining community empowerment and participation as key principles.
- 4.3. It is worth remembering that SCA bids will now be made via the Communities and Local Government LG Barrier Busting Portal and this is available to any citizen to make a proposal. Localworks' argument that some residents might lose the right to participate seems to ignore the ability of citizens to use this Portal directly.

**Recommendations and next steps**

5. Members are asked to comment on the following recommendations:
  - 5.1 That in future the Selector Panel is extended to include a representative from Localworks. This addition to the Panel has been discussed with the Minister who is supportive.
  - 5.2 That the LGA formally communicate to Localworks the view that a statutory duty on local government to consult with local communities is unnecessary and will be counter-productive. This issue has been discussed with the Minister who is minded not to include any statutory duty of consultation in line with the Localism agenda to free local authorities from central direction. He has, however, indicated an expectation on the part of CLG that councils would consult on SCA proposals.

**Councillor Keith R Mitchell CBE, Chairman LGA Selector Panel**