

Meeting of the Council – 23rd February 2009

Report of the Cabinet

The Sustainable Communities Act 2007

Purpose of Report

1. This report summarises the key points of the new Sustainable Communities Act 2007 and sets out proposals to establish the Dosti Executive as the local Sustainable Communities Panel within Dudley.

Background

2. The Sustainable Communities Act 2007 came into effect on 14th October 2008. It encourages local communities to come forward with ideas and proposals, via their council, to promote the sustainability of their local area. The Act defines 'sustainable communities' in broad terms, and covers the following 4 aspects:
 - improvement of the local economy;
 - protection of the environment;
 - promotion of social inclusion; and
 - participation in civic and political activity.
3. The Act empowers citizens and local government to identify and solve local problems, gaining new assistance from central government. It gives local authorities the power to make proposals to government on the action and assistance government could take or give to promote sustainable communities; such proposals, for example, may lead to a transfer of public money, function or power & responsibility from central to local control.
4. The Department for Communities and Local Government (DCLG) is supporting the implementation of the Act, as part of the wider agenda on 'place shaping' and community empowerment.

Local Sustainability Panels

5. All proposals under the Act will need to be referred in the first instance to a local sustainability panel that must be made up of 'representatives of local persons'. Ideas and proposals agreed by the panel will be put forward to the local authority for consideration. Councils will then decide which of these can be resolved locally and which to send on to a national 'Selector' body. The Local Government Association (LGA) is taking on the appointed role as 'Selector'. They will consider all proposals made under the Act and in co-operation with the Secretary of State,

draw up a short-list for possible implementation. The envisaged Local Sustainability Panel Process is outlined below:

Stage 1: The community or local public bodies (including the Council) submit proposals to the Panel

Stage 2: The Panel discuss and pass on recommendations to the Council Cabinet

Stage 3: Cabinet identifies which are matters that can be resolved locally, and which are not. The latter proposals are referred to the LGA

Stage 4: LGA undertake a selection process. Those short-listed are referred to the DCLG Secretary of State for consideration.

6. Proposals that are submitted to the LGA must be ones that require some form of action or intervention from central government (such as a change in legislation, a transfer of responsibilities from one public body to another or a new national policy). The Act sets no limits on the number of proposals that can be made. By using the new process the following could be achieved:

- new powers;
- changes to planning rules;
- the transfer of powers from central to local government together with any associated public money;
- increases in funding and grants;
- reductions of burdens and restrictions imposed by Whitehall;
- changes to government policy; and
- new government legislation.

7. The Act also requires arrangements for Local Spending Reports to be in place by April 2009. The Act requires central government to publish local spending reports (centrally and locally) which will be a breakdown of *all* public money spent by local area. Local authorities can use these spending reports to then argue for the transfer of specific monies and their related functions from central to local control.

Proposal for Dudley

8. To avoid setting up new structures, it is proposed that the existing Dosti Executive be asked to take on the role of the Sustainable Communities Panel. The Dosti Executive is made up of 12 individuals nominated through Dosti's member networks and meets quarterly to steer and monitor Dosti's work and to champion the interests of community networks across the borough. There are a number of advantages for local communities and the council by appointing the Dosti Executive as Dudley's Local Sustainability Panel, namely:

- it builds on their existing role to bring community issues to the Dudley Community Partnership (DCP) and partners;
- it is uniquely placed to involve the Voluntary, Community & Faith Sector (VCFS) in contributing to the Sustainable Community Strategy;
- as a 'network of networks' Dosti currently embrace over 1,000 community groups representing all facets of local society including under-represented groups: ethnic minorities, young people, older people, etc;
- they can utilise their established communications mechanisms to promote awareness and understanding of how individuals, groups and networks can put forward proposals; and

- they can act as objective mediators between the community, the council and its partners, enabling the fair and transparent discussion of public service delivery.
9. The Panel would then refer the outcome of proposal discussions to the Council's Cabinet, which would in turn make the decision to forward any proposals onto the LGA.
 10. There will be a need to ensure agreed arrangements are publicised widely enough to avoid excluding anyone who may wish to submit proposals.
 11. On consideration of the information contained in this report, the Cabinet, at its meeting held on 11th February, 2009, resolved to recommend the Council as set out in paragraph 15 below.

Finance

12. No specific budget will be made available to implement 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 funds.

Law

13. The Sustainable Communities Act 2007 encourages local communities to come forward with ideas and proposals, via their council, to promote the sustainability of their local area.

Equality Impact

14. The issue of equalities is integrated within the make up of the proposed Sustainable Communities Panel, the Dosti Executive. The Dosti Executive comprises of representatives from across the community, voluntary and faith sectors, ensuring widespread social inclusion and engagement of local people from all communities, including BME; children and young people; people with disabilities.

Recommendation

15. That the Council be recommended to :-
 1. welcome the Sustainable Communities Act 2007 and resolve to be fully engaged with the opportunities that it provides, and
 2. approve the proposal to establish the Dosti Executive as the Sustainable Communities Panel within Dudley, as outlined in the report.

David Caunt

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Leader of the Council

