



REPORT TO: POLICY AND RESOURCES COMMITTEE

DATE: 25 JUNE 2009

HEAD OF SERVICE: TRANSFORMATION

REPORTING OFFICER: HEAD OF TRANSFORMATION
CLARE SLATER

SUBJECT: SUSTAINABLE COMMUNITIES ACT PROPOSALS

WARDS AFFECTED: ALL

1.0 PURPOSE OF REPORT

- 1.1 To present the local proposals developed in response to the Sustainable Communities Act, by all eight of the local authorities in North Yorkshire.
- 1.2 For members of this committee to consider supporting the submission of any of these local proposals to the LGA acting in its capacity as the National Selector. This report is being considered by all eight of the North Yorkshire local authorities.

2.0 RECOMMENDATIONS

- 2.1 That Members determine whether all or any of the six local proposals detailed in the report should be submitted to the LGA as the national Selector.
- a. by Ryedale District Council
 - b. by North Yorkshire County Council

3.0 BACKGROUND

- 3.1 The Sustainable Communities Act 2007 (the Act) encourages local communities to come forward with ideas and proposals to improve the sustainability of their local area. 'Sustainability' is defined in the Act in very broad terms, and can cover anything that could improve the economic, social, or environmental well being of the area, or promote participation in civic or political activity. Proposals must require government action, for example changes to law, to national policy, to public spending patterns, and/or the transfer of functions to a different body.
- 3.2 The Act does not provide any additional funding from central government, so ideas that require additional funding from a Council cannot be considered.
- 3.3 The Act states that anyone can suggest a proposal, via their Council. The expectation was that most proposals would be submitted by community organisations, local

branches of national organisations, parish and town councils, neighbourhood forums, residents and tenants associations, local strategic partnerships and other partnership bodies.

- 3.4 The Chief Executives of the 8 North Yorkshire Councils agreed to work together on the implementation of the Act.
- 3.5 Before any proposal is submitted to the LGA, acting in its capacity as the national Selector, the Council is required to reach agreement with one or more panel(s) of local representatives as to which proposals should be supported. The Council is also required to make a formal decision on whether to forward the proposal onwards to the Selector, taking into account the views expressed by the panel. Any one of the eight local authorities in North Yorkshire can take forward a proposal, even if this is not supported by the other local authorities.

4.0 PROCESS

- 4.1 The Secretary of State invited proposals under the Act in October 2008. A joint invitation for proposals was issued by all eight local authorities at the start of January 2009, via the North Yorkshire Times, all 8 Council websites and press releases to local media, providing a period of three months for the submission of local ideas and proposals.
- 4.2 A joint working group of Council officers including Legal Services Officers from North Yorkshire County Council and Scarborough Borough Council, met to consider all proposals received. A number of proposals were removed from the process at this stage as they did not fulfil the requirements of the Act, in accordance with a pre-agreed methodology, for example they did not require action from central government, were not considered to promote sustainability or were not considered realistic and workable. These proposals are listed in **Annex A**. A detailed response will be provided to the authors of all of these proposals providing reasoning behind the decision and outlining what work is already being undertaken in respect of the proposals made.
- 4.3 The remaining thirteen proposals were considered by a North Yorkshire panel meeting on 18 May 2009 comprised of Local Strategic Partnership, voluntary sector and Parish Council representatives from each District area. There is a statutory duty to try to reach agreement with the Panel about the proposals which should go forward to the national selector. The Panel agreed to support six of the proposals, which are described below. The other seven unsupported proposals are shown in **Annex B**.

5.0 PROPOSALS THE PANEL AGREED TO SUPPORT

- 5.1 The six proposals the Panel agreed to support are detailed in this section of the report. These are the proposals that could potentially be submitted to the LGA as the national Selector.
 - 5.1.1 **Require all shops and supermarkets to clearly label where food has come from, to promote more buying of local produce (source of proposal: individual, Harrogate Borough).**

The Panel felt the issue is about reducing food miles and that it was important to provide information on the whole life cost of food i.e. where it is produced, packaged and sold, so that consumers can make an informed choice. It was also felt that the proposal would be relatively cheap to implement. There was a discussion about the

meaning of 'local' and the extent of the geographical boundary referred to in the proposal. There were also some who felt that if North Yorkshire promotes the buying of local food then there are potential consequential effects for food producers in the County exporting to other areas.

5.1.2 Extension of the broadband NYnet network to include a wider range of businesses and residents. NYnet is an initiative to overcome economic and social deprivation through accelerating the provision of next generation broadband throughout the North Yorkshire sub-region (source of proposal: individual, Richmondshire District).

The Panel felt this proposal would help alleviate rural isolation, improve access to services and support small businesses.

5.1.3 That the government introduces a range of measures to promote energy efficiency including a 5 year programme to insulate every school and hospital, fund insulation for one million homes with a subsidy for one million more, build 40,000 extra zero carbon social houses, install energy and money saving meters in every home within 5 years (source of proposal: County Councillor, Harrogate Borough).

The Panel felt the proposal should supplement programmes already in place. It also felt strongly that the proposal should be extended so that all new builds are required to comply with the zero carbon standard. In July 2007 the Government's 'Building a Greener Future' policy statement announced that all new homes will be zero carbon from 2016. As such it is not felt necessary to amend the proposal.

5.1.4 To pass legislation that would require Ofgem, who regulate the electricity and gas markets in Great Britain, to regulate the price of bottled gas (source of proposal: individual, Hambleton District).

The Panel felt this proposal would be relatively straightforward to implement, at limited cost, and would make the price of bottled gas more consistent with natural gas.

5.1.5 Give Councils the power to remove restrictive covenants put on buildings such as pubs which are closed by national chains to prevent them from re-opening as a public house (source of proposal: Town Council, Scarborough Borough).

The Panel felt this is a restrictive practice and should be changed. It was felt the proposal would promote sustainability as local pubs are often important social hubs in community life. The proposal will also help to encourage smaller local businesses. Councils would still be able to exercise judgement on which covenants to remove.

5.1.6 Change to the law to make it a legal obligation for Local Government to provide public toilets (source of proposal: Town Council, Scarborough Borough).

The Panel felt that public toilets underpin the tourism industry and adequate provision is essential for promotion of the area as a place to visit. There is currently no consistency in provision across different areas. This provision should be based on an analysis of need. There is presently no statutory duty on any Authority to provide Public conveniences and as such at present this is not funded through the Government finance settlement.

6.0 NEXT STEPS

- 6.1 The deadline for submission of proposals to the LGA is 31 July 2009.
- 6.2 The LGA will assess all proposals received and depending on the level of interest and number of proposals received will need to take a view on how many to short-list for discussion with the Secretary of State. In keeping with the devolutionary intent of the Act the Selector is likely to shortlist small scale as well as larger proposals.
- 6.3 Ultimately, the Secretary of State will decide on the proposals to be implemented, in co-operation with the LGA, and they have a legal duty to try to reach agreement. The Secretary of State must publish the reasons for those decisions and an action plan on implementing the approved proposals, and report annually to Parliament on progress.

7.0 FINANCIAL IMPLICATIONS

- 7.1 The financial implications of any proposal submitted to the LGA acting in its capacity as national Selector, will be taken into account by the government when it considers any proposals it receives. No additional resources will be made available under the Act. The potential financial implications of each proposal considered by the panel were discussed as part of the deliberations of the panel.

8.0 RISK ASSESSMENT

- 8.1 The potential risks associated with each of the proposals were discussed as part of the deliberations of the panel.

9.0 CONCLUSION

- 9.1 Members of the committee are asked to approve those proposals listed in section 5 that they would like to be submitted by Ryedale District Council and those proposals, which it would support the NYCC to submit.

OFFICER CONTACT: Please contact Clare Slater, Head of Transformation if you require any further information on the contents of this report. The officer can be contacted at Ryedale House, Malton, YO17 7HH or on 01653 600666 ext 347 or by email at clare.slater@ryedale.gov.uk

BACKGROUND PAPERS:

The Sustainable Communities Act 2007 – A guide <http://www.communities.gov.uk/publications/localgovernment/sustainablecommunitiesact>

The Sustainable Communities Act 2007 http://www.opsi.gov.uk/acts/acts2007/pdf/ukpga_20070023_en.pdf

CORPORATE POLICY APPRAISAL FORM

Policy Context	Impact Assessment	Impact +ve -ve Neutral
Community Plan Themes	All short listed proposals promote the sustainability of local communities, as required by the Act	+ve
Corporate Objectives/Priorities	The six proposals listed under section 5 above contribute to the delivery of Aims 1 ,2 and 3 of the Council Plan.	+ve
Service Priorities	The proposals listed under section 5 contribute to the delivery of service priorities in relation to fuel poverty, managing our environment, economic infrastructure and supporting local services and tourism.	+ve
Financial	Any proposal which requires increased resources being allocated by the government or the Council have been removed from the list as ineligible under the terms of the Act.	+ve
Procurement Policies	These will be considered at the next stage of the development of the proposals	+ve
Asset Management Policies	These will be considered at the next stage of the development of the proposals	+ve
LA21 & Environment Charter	These have been considered in the short listing process as a criteria for eligibility under the Act.	+ve
Community Safety	These have been considered in the short listing process as a criteria for eligibility under the Act.	+ve
Equalities	These have been considered in the short listing process as a criteria for eligibility under the Act.	+ve
E-Government	These have been considered in the short listing process as a criteria for eligibility under the Act.	+ve
Risk Assessment	These have been considered in the short listing process as a criteria for eligibility under the Act.	+ve
Estimated Timescale for achievement	Proposals must be submitted to the LGA by Local Authorities before 31 July 2009.	+ve