

Executive

9th June 2009

Report of the Director of Neighbourhood Services

Update on the Sustainable Communities Act 2007 (public consultation)

Purpose of report

1. The purpose of this report is to:
 - Update the Executive on the outcome of the public consultation on the Sustainable Communities Act 2007 (SCA), which was undertaken through both the April/May round of ward committees, and the councils web site.
 - Provide information on progress against the previously agreed Phase Two¹ actions and detail the next stage of the consultation process.
 - Request members to note the responses to the consultation² at **Annex One**, and to advise officers which proposals contained within the Annex should go forward to the next stage of the consultation process.

Background

2. On 27th November 2008, a Council motion on the SCA was submitted by Cllr Aspden and Cllr Hyman, and subsequently amended by Cllr D'Agorne.³ The motion was passed and it stated:

"...Council welcomes the Sustainable Communities Act as a means of gaining new assistance from government, determining that assistance,

¹ Contained with the Executive Report *Sustainable Communities Act 2007* 14th April 2009 Annex 3

² The responses detailed at Annex One are those that have been screened by the Project Team, CMT and Directors

³ The motion can be found on the CYC intranet
<http://sql003.york.gov.uk/mgActionDisplay.aspx?ID=27847>

arguing for transfers of public monies from central to local control and involving York residents in democracy.

Council therefore resolves to use the Act by preparing and submitting proposals for local sustainability to central government, by 31st July 2009, and, in doing so, welcomes proposals from York residents and community groups in York.

Council will encourage parish councils, ward committees and other community organisations in York to hold meetings within the next seven months at which 'citizen panels' can put forward appropriate proposals, as envisaged under the Act."

3. A report was presented to the Executive on the 14th April 2009, which described the provisions of the *Sustainable Communities Act 2007*, and which contained proposals on the process to consult the public, and to eventually determine which suggestions under the *Sustainable Communities Act 2007* would go forward to the Local Government Association,

Consultation

4. To comply with the Council motion, and the process agreed by members at the Executive meeting on 14th April 2009, officers of the Neighbourhood Management Unit (NMU), were asked to lead the city-wide consultation with the public, ward committees and other organisations. The NMU did this in a number of ways and using a number of different methods.
5. All the April/May editions of Your Ward delivered across the city provided information about the consultation process. In addition, all ward committees either tabled the item on the main agenda or provided for the item to be discussed at the ward Committee surgery, held immediately in advance of the meeting. Senior officers from Neighbourhood Services presented the topic at the ward committees and were available to answer questions both at the main meeting or during ward surgeries. To support the ward committee process, two city-wide press releases were issued, with The Press printing an article on the 29th April 2009. Letters were also sent on 3rd April to 150 voluntary organisations and to all Parish Councils across the city, to draw their attention to the consultation either via the council's web site, or via attendance at the ward committee meetings.
6. To assist with the consultation the NMU established a dedicated web page and a link to information concerning the SCA via the home page of the councils internet site. This included the provision of an on-line consultation facility, so that proposals could be submitted by residents

without the need to attend a ward committee meeting. This was done under the theme of 'Shaping Neighbourhoods'.

7. The closing date for the consultation via the internet and the ward committee meetings was the 8th May 2009.

Consultation Results

8. As a result of the consultation the council received 327 proposals from individuals, community groups and Parish councils across the city. The majority of the responses were received via e-mail (149); 117 consultation forms were returned using the freepost address; 27 responses were received via the online survey; 24 were provided via the actual ward committee meetings and 10 via letter.
9. Of the 327 proposals received, all have been individually reviewed by a cross-directorate officer project group, the Corporate Management Team (CMT) and finally, by individual Directors. The purpose of this review process was to ascertain whether any proposal already fell within powers which the authority currently holds, (and would, therefore, be outside the scope of the SCA 2007) or whether new powers would be required, and as such, they fell within the scope of the SCA 2007.
10. Of the 327 proposals, the project group, CMT and Directors have determined that 281 already fall within the powers of the local authority or are such that they could be deleted for other reasons; for example as being not pragmatic. The proposals which have been screened in this way, have now been allocated to the directorates for their information and/or appropriate action.
11. In total 46 proposals do not fall within the council's current powers and are therefore within the scope of the SCA 2007. These 46 proposals are listed at **Annex One**.

The next steps in the consultation process

12. This meeting of the Executive gives the opportunity for members to advise officers which (if any) of the 46 proposals they consider should **not** go forward to the next stage of consultation. Members may feel that 46 proposals are too many to consider at this time, and as such may wish to advise officers of say, 10 or 12 proposals which should go forward to the next consultation stage. Those proposals approved by Executive at this meeting will go forward to be discussed by the Without Walls Executive Delivery Board on the 15th June 2009. Specifically the Board will be asked to identify which proposals they feel support the themes of the Sustainable Community Strategy (SCS) and City Vision and the Local Area Agreement

- priorities. The comments made at this forum will be noted and reported back to the Executive on the 21st July 2009.
13. On the 18th June 2009 the same proposals will be discussed by the Citizens Panel. This panel will be made up of members of the Talk about Panel, supplemented by:
 - o An existing young persons project group who are being funded via the Department for Children, Schools and Families (DCSF) to look at sustainability issues.
 - o Other individuals from typically 'under-represented' groups across the city to ensure compliance with the SCA 2007 and it's statutory guidance.
 - o Members who sponsored the Council Motion, together with any Executive Members who wish to attend.
 14. The Citizens Panel discussions will be facilitated by officers from the NMU. The comments made at this forum will be noted and also reported back to Executive on the 21st July 2009.

Taking the proposals forward

15. The report to the Executive on 21st July, will identify comments from the Without Walls board, and the Citizens Panel. It will also contain further information on any financial and legal implications relating to the proposals which have been considered. At this meeting, the Executive will have a final opportunity to select which proposals should go forward to the Local Government Association (LGA). The proposals have to be submitted to the LGA by 31st July 2009. The proposal form required for completion by the LGA is still in draft form only, as it is subject to change via the Selector Panel. **Annex Two** provides the current details that will be required for each submitted proposal. It can be seen that the information required is quite extensive (approximately 2,500 words per proposal).

Implications

16. **Financial Implications** - The financial implications of any of the proposals can only be determined once selected proposals are agreed by the Executive. Representatives from Resources Directorate will advise on the extent of any financial implication as part of the Executive report on 21st July. There is a financial implication to the consultation, in particular in terms of the use of a Citizens Panel. This includes venue hire, production of event materials, refreshments etc. There is no dedicated budget

available for this process within the council. These costs are being allocated to the NMU cost centre.

Legal implications – There may be significant legal implications relating to some of the proposals. Representatives from Legal Services form part of the Project Group and the legal implications of any proposals will be advised as part of the Executive report on 21st July 2009.

HR – There are no HR implications associated with this report

Equalities – Equalities issues and ensuring that under represented groups form part of the Citizens Panel have been considered by marketing and communications when setting up the Citizens Panel. This will ensure that the make up of the Panel complies with the requirements of the Statutory Guidance.

ITT – There are no IT implications associated with this report.

Corporate Priorities

17. The content of this report supports the Councils Corporate Strategy, in particular by enabling the public to shape and influence decisions through listening to communities and providing a greater say in local priorities.

Risk Management

18. This report is in compliance with the Councils Risk Management Strategy. There are no risks associated within the recommendations of this report. Any particular risks associated with the proposals will be identified as part of the report to the Executive on 21st July 2009.

Recommendations (proposed for Executive)

19. The Executive are recommended to:
 - a. Note the information provided within paragraphs 4-11 concerning the outcome of the public consultation exercise undertaken.

Reason : So that Members are informed of the consultation and that it met the requirements of the Council motion by having the topic discussed at all ward committees across the city.
 - b. Note the response to the consultation after officer, CMT and Director screening. The screened responses are detailed at **Annex One**.

Reason: To consider the responses.

- c. Note and approve the next steps in the consultation process as detailed within paragraphs 12 to 14.

Reason : To ensure that the council complies with the consultation requirements of the Act and associated Statutory Guidance.

- d. Advise officers which of the 46 proposals detailed at **Annex One** should go forward to the next stage of the consultation.

Reason: To commence dialogue on those proposals with the LSP and Citizens Panel and to report back to the Executive meeting on 21st July 2009.

Contact Details

Author:	Chief Officer Responsible for the report:		
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	Report Approved	,	Date 29 th May 2009
	Adam Wilkinson Interim Director of Neighbourhood Services		
	Report Approved	,	Date 29 th May 2009
Specialist Implications Officer(s) A project group consisting of key officers have facilitated their Directorates to consider the implications of the proposals made by the public.			
Wards Affected:			All <input checked="" type="checkbox"/>
For further information please contact the author of the report			

Background Papers:

1. Sustainable Communities Act 2007
2. Council motion 27th November 2008

3. 14th April 2009 Executive Report of the Director of Neighbourhood
Communities Sustainable Communities Act 2007
4. HM Government Creating Strong, Safe and Prosperous Communities
Statutory Guidance July 2008 Annex 1 – Sustainable Communities Act
2007 Statutory Guidance
5. Communities and Local Government February 2008 Sustainable
Communities Act 2007: A Guide.
6. Spreadsheet showing all suggestions.

Annexes

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| Annex One | Proposals following screening by Project Team
(Directorates), CMT and Directors. |
| Annex Two | Details required by the LGA as part of the on-line submission
of proposals form (this is currently still in draft form and
potentially subject to changes by the Selector Panel) |

29/05/09