

Report



meeting CABINET

date 14 September 2011

agenda item number 14

Report of the Deputy Leader

Localism

Purpose of the Report

1. This report summarises the achievements of the County Council in fostering aspiration, independence and personal responsibility through Localism and sets out the County Council's approach
 - to prepare for forthcoming statutory requirements arising from the Localism Bill and
 - to secure further achievements against the County Council's strategic objectives around Localism.

Background

2. The County Council's Strategic Plan commits the authority to embracing Localism as part of the Priority to foster aspiration, independence and personal responsibility.
3. Localism is seeking to encourage and empower local communities to take greater control over their own lives and making it easier for them to get things done so that they can achieve their ambitions for the places where they live.
4. A Big Society is what should be achieved through Localism. It exists where communities feel empowered to shape the place where they live and where individuals take responsibility for improving their own community.
5. Decentralisation has been identified as the means to deliver Localism and support the development of the Big Society. The Localism Bill is currently progressing through the legislative process and is expected to become law before the end of 2011. The Localism Bill is intended to provide the legislative framework for decentralisation.

Achievements to Date

6. The County Council already has a strong record of achievements contributing to the Strategic Plan objectives. Examples of the range of activity and initiatives and achievements include:
 - The Members Divisional Fund which provides Members with £10,000 a year to invest in community projects
 - The Building Better Communities/Local Improvement Scheme which engages and enhances the community and has helped to secure over £13m in third party funding
 - Offering winter grit bins to parishes so that they can respond to local needs
 - Work on the Putting People First Project including offering personal budgets to people to tailor care to their own needs
 - Pocket park and ride sites to promote public transport and support important community infrastructure such as pubs and village halls
 - The Parish Path Partnership Scheme providing assistance to communities to improve and promote local rights of way
 - The Lorry Watch scheme which supports Nottinghamshire residents to reduce the misuse of weight restricted roads in their local communities
 - Providing support to over 200 Social Enterprises including a recent social enterprise set up by staff in the Red Cross' Partnership Development Team to support the Carers Forum.
 - Supporting the Greenwood Community Forest which enables Nottinghamshire's communities to create, care for and use woodlands and other high quality accessible green spaces.
7. Other initiatives have been specifically undertaken to progress Localism in Nottinghamshire such as:
 - Providing data on every spend over £500 on the County Council's website to provide transparency on how public money is used
 - Publishing the County Council's senior officers' salaries, responsibilities and achievements on the Authority's website.
 - Council transparency on the front page of the County Council's website given prominence to annual audit, inspection and councillor expenses.

8. Further examples of activity and achievements that have enabled Localism are provided as an appendix to the report.

The Localism Bill

9. The Localism Bill contains six parts which relate to English local authorities outside of London, devolving powers in relation to governance, planning and giving local communities greater control over local decisions like housing and planning.
10. The Bill is currently expected to receive Royal Assent in late 2011 and the County Council will need to give consideration to how to implement the substantive elements of the Bill. Key requirements of the Localism Bill that the County Council is currently expected to need to respond to include:
 - a. The **Community Right to Challenge** (and the principles set out in the Open Public Services White Paper) will allow 'relevant bodies' such as town and parish councils, voluntary organisations and council staff to express an interest in taking on and running a service or part of a service on behalf of the County Council. Where expressions are successful the Council will be required to run a procurement exercise for the service in which the group can take part, alongside other interested parties which may come forward.
 - b. The **Community Right to Buy** involves 'relevant bodies' such as town and parish councils and community organisations being able to nominate a building or land (including those in private ownership) in their area to be listed as an 'asset of community value' in a local register maintained by the local authority. If an owner looks to dispose of or demolish a registered property, they have to notify the local authority so that it can inform the local community, in order to provide them with an opportunity to raise the necessary funds to acquire the asset and retain it for the benefit of the area concerned.
 - c. Rights to enable people to instigate **local referendums** on any issue
 - d. Rights to enable people to approve or **veto in a referendum a council tax increase** deemed to be excessive. Consideration will need to be given to the budget process to plan for substitute precepts based on formula issued by the Secretary of State
 - e. A requirement to prepare a **senior pay policy statement** which is also expected to be required to detail pay ratios between the lowest and highest earners.

- f. **Reform of the planning system** with provisions to abolish regional strategies, provide for neighbourhood plans, make pre-application consultation compulsory, make changes to planning enforcement and in relation to nationally significant infrastructure, such as high speed railway lines or power stations.
 - g. The **removal of statutory requirements around Standards and predetermination**
- 11. The Bill will also provide for a number of policy options that the County Council may wish to consider utilising including:
 - h. A new **mechanism for changing Governance Arrangements** including the ability to switch from the current Leader and Cabinet arrangement to a committee system.
 - i. The **Duty to respond to Petitions will be rescinded** and the County Council may wish to review its current scheme for petitions in light of this.

Securing further achievements

- 12. The new statutory responsibilities to be applied through the Localism Bill will require detailed consideration and the development of County Council policy to implement each specific requirement.
- 13. In addition to build on the range of individual activity that has progressed Localism in Nottinghamshire so far and to secure further achievement of the Strategic Plan objectives, a consistent approach is required to coordinate the County Council's efforts to embrace Localism.
- 14. It is proposed that the County Council's future approach to Localism should be based around a policy providing clear direction as to the Authority's commitments, setting out the actions that the Authority intends to take to deliver on them and incorporating the new statutory requirements placed on the County Council by the Localism Act.
- 15. The statutory requirements will not be confirmed until the Bill has received Royal Assent, currently expected in November 2011. To enable the development of options for inclusion in the action plan detailed work can be undertaken before the Bill receives Royal Assent, including:
 - detailed consideration and further briefings with elected Members on the specific implications of the Localism Bill. A Members Seminar will be held, with each group being asked to nominate members to attend, to consider the Bill and the way forward for the Council with regard to this.

- discussions with Members to consider the future possible roles for Member Forums in embracing Localism as set out in the service review to refocus partnership work agreed by County Council on 24 February 2011.
 - piloting options for Localism, such as possible devolution of functions to town and parish councils. The Deputy Leader has already held initial discussions with Southwell Town Council who have expressed an interest in progressing this.
 - developing an approach by which the County Council will generally be supportive of new town and parish councils where this is what local communities wish to see.
 - considering the potential of community budgets and their application in Nottinghamshire.
16. To inform the scope and resource requirements of the policy and action plan it is proposed that the County Council should seek to establish the level of interest in the use of new rights to be introduced through the Localism Bill. In particular it is proposed to engage with voluntary and community groups and parish and town councils based on four themes of enabling and empowering individuals, enabling and empowering communities, open and responsive public services and providing accountability for Nottinghamshire and will specifically involve.

Recommendation

17. It is recommended that Cabinet:
- i. notes the achievements to date
 - ii. notes the key requirements of the Localism Bill
 - iii. agree that work be undertaken to prepare for and measure interest in the proposals for Localism
 - iv. agree that a further report be brought forward once the Localism Bill has received Royal Assent
 - v. note that a further report will be brought forward on Community Budgets.

Councillor Martin Suthers OBE
Deputy Leader

Background Papers Available for Inspection

The County Council's Strategic Plan -
<http://www3.nottinghamshire.gov.uk/thecouncil/plans/councilplansandpolicies/strategicplan/>

The Localism Bill - <http://services.parliament.uk/bills/2010-11/localism.html>

Legal Services' Comments (SB 06/09/11)

Cabinet has authority to consider the matters set out in this report.

Comments of the Service Director Finance

Any financial implications will be the subject of further reports. (MB 06/09/11)

Electoral Division(s) Affected

All