



Department for  
Communities and  
Local Government

# Sustainable Communities Act 2007: Update Report on First Invitation Proposals





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Local Government

## Sustainable Communities Act 2007: Update Report on First Invitation Proposals

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# Contents

Introduction .....	6
Summary of Actions and Implementation Status .....	7
Planning and Transport.....	15
Post Offices .....	23
Incentives for sustainable energy.....	25
Promotion of sustainable energy.....	27
Future of the Sustainable Communities Act.....	32
Ring-Fenced Grants.....	32
Community assets .....	33
Licensing.....	35
Health .....	37
Business Rates .....	38
Restrictive covenants.....	41
Economic growth .....	42
Local governance.....	42
Housing.....	43
Statistics .....	45
Benefits.....	45
Local amenity.....	46

# Introduction

The Sustainable Communities Act 2007 provides an opportunity for communities to identify legislative barriers that prevent them from improving the sustainability of their local areas and discuss them with their local authorities. If the barrier needs Government action to remove it, local authorities can ask government to remove it.

The Government issued an invitation in 2008 to local authorities to submit proposals under the Act. Over 200 proposals were submitted containing about 300 issues.

Government issued its decision on these proposals in December 2010<sup>1</sup>. This listed 39 actions that would be taken forward covering a range of topics.

This document provides a progress update on the 39 actions. Of these, 33 have been implemented. The Government has decided, after further consideration, not to implement four. A further update on the remaining two actions (Actions 26 and 32) will be published once they are complete or in a year's time, whichever is earlier.

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<sup>1</sup> <https://www.gov.uk/government/publications/sustainable-communities-act-2007-decisions-on-local-councils-proposals-to-improve-local-areas>

## Summary of Actions and Status

Action	Summary of Action	Status of Action
Action 1: Planning and Transport	The Government will introduce a Localism Bill in the current session of Parliament which will repeal the remaining elements of the regional tier.	Implemented. The Localism Act 2011 provides for the abolition of the eight regional strategies outside London by secondary legislation. The Government has decided to revoke or partially revoke each of the regional strategies.
Action 2: Planning and Transport	The M40 will be resurfaced with quiet material as part of ordinary network operations. The Government is working with Wycombe District Council to establish whether the problems on this stretch of the M40 are serious and pressing enough to prioritise this stretch of road ahead of others.	Implemented. The road will be resurfaced as part of ordinary operations.
Action 3: Planning and Transport	The Department for Transport aims to announce a decision on whether to amend the Road Traffic Regulation Act 1984 by the end of March 2011. Proposal was concerned with wardens taking on civil enforcement duties.	Action will not be taken forward. Department for Transport officials met officers from Kettering to discuss these issues in 2011. The Council was informed that the proposal cannot be considered a priority at present without further evidence that there is general support for the change.
Action 4: Planning and Transport	The Government will give councils the power to join with local businesses to form their own Local Enterprise Partnerships to create the right local environment for business investment.	Implemented. Since the announcement on Local Enterprise Partnerships in 2010, local businesses and civic leaders have come together to establish 39 Partnerships, which cover all areas of England.

Action 5: Planning and Transport	The Government will establish a Regional Growth Fund to support a sustainable increase in business employment and growth in those regions most reliant on public sector spending.	Implemented. Conditional allocations were made to 176 bidders in the first two rounds of the Regional Growth Fund, delivering 330,000 jobs. The results of Round 3 of the programme – allocating a further £1 billion – will be announced in the autumn.
Action 6: Planning and Transport	The Government will ensure involvement at a local level on future housing developments by introducing a Community Right to Build in the Localism Bill, due for introduction in the current session of Parliament.	Implemented. The Community Right to Build came into effect in April. It gives local communities the power to take forward development they want – be it homes, shops, businesses or facilities, with the minimum amount of red tape.
Action 7: Planning and Transport	The Government will use the Localism Bill to put in place the legal provisions for Neighbourhood Plans and aims to set out, in a new National Planning Framework, the planning policy for these by April 2012.	Implemented. The Localism Act includes provisions that allow communities to prepare statutory 'neighbourhood plans'. These are supported by secondary legislation setting out the procedures that need to be followed when preparing a neighbourhood plan, and the rules and regulations for neighbourhood planning referendums which are the final step in the neighbourhood planning process.
Action 8: Planning and Transport	Planning Inspectorate will aim to reduce enforcement procedure times against previous performance by end March 2011 and to improve upon this in all procedures by end October 2011.	Implemented. The Planning Inspectorate reduced enforcement procedure times against previous performance by the stated target date.
Action 9: Planning and Transport	The Government has taken decisive action to implement Chorley's proposal and has amended PPS3 to remove gardens from the classification of 'previously developed land'.	Implemented. The National Planning Policy Framework, published in March 2012, maintains these changes and goes further by supporting councils to draw up their own local policies to stop inappropriate development on garden land.



Action 10: Planning and Transport	The Government will consider whether councils should be allowed to set higher fees for retrospective planning applications in light of our consultation on <i>Proposals for changes to planning application fees in England</i> , which closes on 7 January 2011.	Action will not be taken forward. The Government has decided, on balance, to continue to set fees centrally for planning applications.
Action 11: Post Offices	The Government will ensure that Post Offices are allowed to offer a wide range of services in order to sustain the network and sees continued growth of revenues from banking and financial services as an important part of the network's future sustainability.	Implemented. Post Office Ltd is run commercially at arm's length from Government. Commercial decisions are the responsibility of the senior management. However, Government supports Post Office Ltd's ambition to deliver new services on behalf of Government, and further expansion of its range of accessible and affordable personal financial services.
Action 12: Post Offices	The Government will examine whether it is possible to implement the proposals by Doncaster and Liverpool to give them more involvement in the future development of the Post Office network in light of the results of the pilot scheme being run with Sheffield. The pilot scheme is scheduled to run until the end of 2011.	Implemented. Following the Sheffield pilot, Post Office Ltd expanded its engagement with local government and throughout 2012 the company, with support from the Local Government Association, worked with 25 'pathfinder' councils across England and Wales to further explore and identify the opportunities for mutually beneficial service delivery that can deliver both efficiency and sustainability.
Action 13: Incentives for sustainable energy	The Government launched Community Energy Online on 25 November.	Implemented. The Government has been further supporting community renewables through a range of measures.

Action 14: Promotion of sustainable energy	The Government is committed to allowing communities that host renewable energy projects to keep the additional business rates they generate. This will be considered by the Local Government Resource Review, starting in January 2011, as part of broader work on options to enable business rate retention.	Implemented. The Government introduced business rates retention for the funding of local government in April 2013. As part of this new arrangement, it has legislated to ensure that the business rates paid by new renewable energy projects will be kept in full by the local planning authority.
Action 15: Promotion of sustainable energy	The Department of Energy and Climate Change will examine the implications of making third party access to the grid mandatory and are aiming to consult on this by the end of 2010.	Implemented. The Government's response to the consultation on the provision of third party access to license exempt electricity and gas networks was published in January 2011. Regulations set down the right of consumers supplied via a licence-exempt electricity and gas network to choose a third party supplier and to be supplied over that network.
Action 16: Promotion of sustainable energy	The Government will publish a detailed Anaerobic Digestion strategy by May 2011.	Implemented. The Anaerobic Digestion Strategy and Action Plan was published in June 2011.
Action 17: Promotion of sustainable energy	The Department for Transport will invite Redbridge to become involved in their work to review their policy on traffic signing.	Implemented. The Department for Transport published "Signing the Way" in 2011 setting out the key findings from the review. Resulting regulations will take effect from the end of 2014.
Action 18: Promotion of sustainable energy	The Government will develop a plan for the roll-out of smart meters.	Implemented. The Government expects suppliers to be ready to start their full scale roll-out of smart meters by Autumn 2015, with a completion date of 2020.

<p>Action 19: Promotion of sustainable energy</p>	<p>In addition to action taken to extend and refocus the Carbon Emissions Reduction Target obligation in 2010, the Government will drive greater energy efficiency in households (and businesses) through a Green Deal and a supporting energy company obligation. This will be achieved through an Energy Security and Green Economy Bill in 2010, detailed policy consultation in 2011 and secondary legislation in early 2012, with the aim of changes coming into force by January 2013.</p>	<p>Implemented. Action was taken to extend and refocus the Carbon Emissions Reduction Target obligation. Although this scheme ended in December, the Government is driving greater energy efficiency in households (and businesses) through the Green Deal and the Energy Company Obligation, which will provide basic heating and/or insulation measures to low income households and households in low income areas.</p>
<p>Action 20: Promotion of sustainable energy</p>	<p>Government will design a Green Deal finance mechanism to: (a) help households and businesses fund energy efficiency improvements through savings on their energy bills, and (b) pass that charge onto a future bill-payer so that they only pay whilst enjoying the benefits.</p>	<p>Implemented. The Green Deal was launched in January 2013. It enables consumers to pay for some or all of the cost of energy-saving property improvements, like insulation, over time through savings on their energy bills.</p>
<p>Action 21: Future of the Sustainable Communities Act</p>	<p>The Government issued a second invitation to local authorities to submit proposals under the Sustainable Communities Act on 15 December 2010. We have established an online portal which will enable local authorities to submit proposals at a time of their choosing, and with no deadline for doing so. We will revoke the current burdensome regulations and will consult on new, light-touch regulations by the end of January 2011.</p>	<p>Implemented. The Government made regulations in 2012 to govern the management of proposals submitted under the Sustainable Communities Act 2007. In addition, to further enhance the ability of communities to get involved in the development of proposals under the Act the Government is extending the powers to submit proposals under the Act to town and parish councils.</p>

Action 22: Ring-fenced grants	As part of the 2010 Spending Review, the Government announced the ending of all ring-fencing for revenue grants from 2011-12, except simplified schools grants, and the new Public Health Grant to be introduced from 2013.	Implemented. The only ring-fenced grants now paid by Government are Dedicated Schools Grants, and the new Public Health Grant. Ring-fenced grants will only be paid in very exceptional circumstances.
Action 23: Community asset	The Localism Bill will include the broad framework for introducing the Community Right to Buy scheme. A consultation document will be issued early in 2011, explaining the scheme in more detail, and seeking views on the detailed provisions to be set out in regulations.	Implemented. The Localism Act allows communities to bid to take over assets. The provisions place a duty on local authorities to list Assets of Community Value. A moratorium on the sale of listed assets gives community groups time to prepare a bid to buy the land or building.
Action 24: Community asset	The Department for Environment, Food and Rural Affairs will invite Southwark to work with them to further discuss how a National Bag Free Day could be promoted voluntarily.	Action will not be taken forward. After consultation the Government decided that this action would not be taken forward due to a lack of resources.
Action 25: Licensing	Government will make amendments to rebalance the Licensing Act 2003 in favour of local communities through the Police Reform and Social Responsibility Bill.	Implemented. The Government brought all the licensing reforms in the Police Reform and Social Responsibility Act 2011 into force in 2012 (except for measures on locally-set licensing fees, for which regulations will be introduced in the summer of 2013).
Action 26: Licensing	Government will ban the sale of alcohol below cost price and carry out a review of alcohol pricing and taxation, to ensure that it tackles binge drinking without unduly impacting on responsible drinkers and businesses.	The Government consulted on a minimum unit price for alcohol as part of the wider consultation on its Alcohol Strategy. At the time of writing, the Government is considering the responses to the public consultation and will make an announcement on this in due course.

Action 27: Health	Government will roll forward the capital funding allocated to Southend-on-Sea Borough Council for the St Lukes Health Centre in 2009-10 to 2010-11.	Implemented. Approval given to allow Southend to carry forward funding from 2009-10 to 2010-11.
Action 28: Business rates	The Localism Bill will remove the legal requirement for ratepayers to submit an application form in order to claim Small Business Rate Relief.	Implemented. The Localism Act removes the legal requirement for ratepayers to submit an application form in order to claim Small Business Rate Relief.
Action 29: Business rates	The Local Government Resource Review will consider the most appropriate way of delivering Tax Increment Financing in the context of proposals to allow authorities to keep their local business rates.	Implemented. Following the introduction of business rates retention in April 2013, all councils can borrow (within the existing prudential borrowing system) against retained business rates and to invest in infrastructure unlocking growth.
Action 30: Business rates	The Localism Bill will give councils the power to set local discounts on business rates, provided that they are funded locally.	Implemented. The powers in the Localism Act have been available to local authorities since April 2012.
Action 31: Business rates	Local business rate retention will be considered by the Government in its Local Government Resource Review.	Implemented. The Government introduced local retention of business rates from April 2013.
Action 32: Restrictive covenants	Government will undertake a consultation on restrictive covenants.	Government will publish its response to the consultation by the end of October.
Action 33: Economic growth	Local Enterprise Partnerships: Thames Valley Berkshire invited to develop a governance structure which will enable it to decide on its local priorities.	Implemented. The Thames Valley Berkshire board is now in place.
Action 34: Local governance	Localism Bill to give residents the power to instigate a local referendum on any local	Action will not be taken forward following objections in the House of Lords.

	issue.	
Action 35: Housing	Localism Bill to create flexible tenancy for social landlords.	Implemented. Localism Act provisions came into force in April 2012.
Action 36: Housing	Localism Bill to include clauses to abolish Housing Revenue Account subsidy system and replace with self-financing.	Implemented. Self-financing introduced from April 2012.
Action 37: Statistics	Introduction of improved methods for estimating population levels.	Implemented. New methods introduced.
Action 38: Benefits	Introduction of Universal Credit.	Implemented. The Universal Credit Pathfinder started on 29 April, six months ahead of progressive national roll out in October.
Action 39: Local amenity	Localism Bill to include clauses to deal with persistent fly tipping.	Implemented. Localism Act powers in force.

# Planning and Transport

## Action 1

### **Hampshire County Council**

*Devolve the responsibility for Regional Strategy preparation from the regional level to county level.*

*Raise the £5m major transport scheme threshold figure to £10m, and provide more expert assistance to councils who want to develop schemes over £10m.*

*Merge together funding streams to reduce waste, bureaucracy and improve - certainty of funding for new transport infrastructure.*

*Make different arrangements for small unitary authorities, or allocate funding on historic county boundaries, or identified sub-regional areas.*

### **South Gloucestershire Council**

*Abolish the Regional Spatial Strategy.*

### **Hammersmith and Fulham London Borough Council**

*Start a national conversation as to the pros and cons of nationally set housing targets.*

## **Action Plan**

The Government will introduce a Localism Bill in the current session of Parliament which will repeal the remaining elements of the regional tier.

**Status: Action Plan implemented.**

## **Detail**

The Localism Act 2011 provided for the abolition of the eight regional strategies outside London by secondary legislation. Having carefully considered the outcome of the environmental assessment process, the Government has decided to revoke or partially revoke each of the regional strategies. The Localism Act requires local authorities to work together effectively on strategic cross boundary matters in their local plans through the duty to cooperate.

The Government also looked closely at the individual suggestions Hampshire made and agrees with the thrust of the proposal to devolve funding and accountability for major schemes.

**Current majors programme:** As a result of the process initiated in the 2010 Spending Review to prioritise local authority promoted schemes that had been prioritised by the previous Government, 10 schemes with high value for money were identified early for support, and 43 others were subsequently approved. Of these, two are complete and open to traffic and 25 are under construction. Department for Transport funding for the schemes was reduced from £1.9 billion before the Spending Review to £1.25 billion.

To reduce the appraisal burden further the Department for Transport also discontinued the Conditional Approval step (apart from very exceptional cases) and scaled back the requirement for information from local authorities at the final approval stage.

**Majors devolution:** As part of the localism agenda the Department for Transport is taking forward plans to devolve decision making and funding for local major transport schemes to Local Transport Bodies. Local authorities and Local Enterprise Partnerships will play a key role in these bodies.

The Local Transport Bodies are making good progress and recently submitted their assurance frameworks for their proposed membership and governance arrangements. They are developing their prioritisation plans which should be published in the summer before they take on their roles in 2015.

## **Action 2**

### **Wycombe District Council**

*Enable action to be taken to permanently reduce road noise, improve sound barriers and implement speed and night time restrictions along the M40 from Junction 3 to Junction 8.*

*The Minister for Transport and the Minister for Rural Affairs work together to reassess the formula for calculating noise level policies and priorities which is biased in favour of large and urban communities, so that the impact of motorway noise on rural communities and nationally recognised and designated landscapes is given greater importance.*

### **Action Plan**

The M40 will be resurfaced with quiet material as part of ordinary network operations. The Government is working with Wycombe District Council to establish whether the problems on this stretch of the M40 are serious and pressing enough to prioritise this stretch of road ahead of others.

**Status: Action Plan implemented.**

### **Detail**

The road will be resurfaced as part of ordinary operations.

## **Action 3**

### **Kettering Borough Council**

*Change the statutory guidance to allow local authorities to employ single teams of wardens capable of dealing with all civil enforcement issues.*

### **Redcar & Cleveland Borough Council**

*Enable the council's Community Protection Officer Service to carry out civil and criminal act duties in a combined manner without fear of legal challenge.*



### **Action Plan**

The Department for Transport aims to announce a decision on whether to amend the Road Traffic Regulation Act 1984 by the end of March 2011.

**Status: Proposal will not be taken forward.**

### **Detail**

Department for Transport officials met with officers from Kettering Borough Council to discuss these issues in 2011. They informed the Council that the proposal cannot be considered a priority at present without further evidence that there is general support for change from authorities who operate civil enforcement. The Department for Transport agreed with Kettering that they (Kettering) would consult authorities and the Local Government Association to assess the level of support for change and consider developing a business case and proposals for a trial that Ministers would consider.

### **Actions 4 and 5**

#### **Hammersmith and Fulham London Borough Council**

*Increase local authority freedom over regeneration funding and capital allocations.*

### **Action Plans**

4. The Government will give councils the power to join with local businesses to form their own Local Enterprise Partnerships to create the right local environment for business investment. Following the statement by the Business Secretary on 28 October the first Local Enterprise Partnerships are already being established.

5. As also announced on 28 October, the Government will establish a Regional Growth Fund to support a sustainable increase in business employment and growth in those regions most reliant on public sector spending.

As part of the 2010 Spending Review, the Government will end ring-fencing for all revenue grants from 2011-12, except simplified schools grants, and will introduce a new Public Health Grant from 2013.

**Status: Action Plans 4 and 5 are complete.**

### **Detail**

It is for local people, not central Government, to identify which areas need regeneration, and define what measures should be used to drive it. The Government has published a regeneration toolkit highlighting the wide range of powers, flexibilities, options and incentives available to help local partners drive local growth and regeneration.

Through a Community Budget approach, local authorities are encouraged to explore better way of working with their partners to deliver improvements in

outcomes and drive up saving. Whole-Place Community Budget pilots, of which Hammersmith and Fulham is a partner in the Tri-borough's pilot, are investing in working with local partners and developing business cases which through co-design, examine local services and priorities and seek to bring together funding arrangements across organisational and delivery boundaries. The Whole-Place Community Budget pilots shared their business plans for redesigning particular services in their areas with Government in October 2012. The main characteristics of the Tri-borough work have been: integrating services and operating at scale; reducing dependency; and promoting economic opportunity.

Since the announcement on Local Enterprise Partnerships in 2010, local businesses and civic leaders have come together to establish 39 Partnerships, which cover all areas of England.

Conditional allocations were made to 176 bidders in the first two rounds of the Regional Growth Fund, delivering 330,000 jobs. Capital funding of £113 million was allocated to local projects in the South East and East of England, set to deliver almost 40,000 jobs. The results of Round 3 of the programme – allocating a further £1 billion – will be announced in the autumn.

At the 2010 Spending Review the Government ended ring-fencing of all main revenue grants from 2011-12, except simplified schools grants, and a new public health grant from 2013. Thus devolving to councils the freedom and flexibility over the money they receive and allowing them to work with their residents to decide how best to make spending decisions in line with their local needs and priorities.

The Mayor of London also receives the majority of his capital funding in the form of capital grants that are not ring-fenced and so has significant freedom over capital spend. The Mayor's capital budget has increased since the proposal was received as powers and funding for regeneration and housing previously held by the London Development Agency and the Homes and Communities Agency in London transferred to the Greater London Authority from April 2012. The Mayor has established the London local enterprise partnership to drive regeneration and boost economic growth in the capital.

The £730 million Growing Places Fund is an unringfenced fund (92% capital) with local enterprise partnerships managing and targeting the fund to unlock local development helping to deliver thousands of local jobs and homes. Over £110 million of this fund has been allocated to London.

Following the introduction of business rates retention from April 2013, all councils will be able to borrow (within the existing prudential borrowing system) against retained business rates and to invest in infrastructure unlocking growth. Additionally, the Government has provided support to 'New Development Deals' (formerly known as Tax Increment Financing 2 schemes), in Newcastle, Nottingham and Sheffield. These will enjoy the same long term guarantees over future revenues that are already available in Enterprise Zones, specifically for the purposes of bringing forward infrastructure and unlocking growth.

## **Action 6**

### **South Hams District Council**

*Introduce a new policy termed 'Private Initiative Affordable Housing'.*

### **West Dorset District Council**

*Extension of the concept of Rural Exception Sites to settlements of over 3,000 to include market towns.*

### **Torridge District Council**

*Change national policy (specifically planning policy statements 3 and 7) to enable more vibrant and thriving rural communities.*

### **Teignbridge District Council**

*Acknowledge the role of Community Land Bank Trusts and ensure involvement at local level on future housing developments.*

## **Action Plan**

The Government will ensure involvement at a local level on future housing developments by introducing a Community Right to Build in the Localism Bill, due for introduction in the current session of Parliament.

**Status: Action Plan implemented.**

## **Detail**

The Government published the National Planning Policy Framework in March 2012. The Framework is clear that local authorities should set housing targets to meet their full requirement for market and affordable homes and are responsible for establishing a good supply of deliverable sites for housing to meet their requirements. It says that in rural areas local authorities should be responsive to local circumstances and plan housing development to reflect local requirements, particularly for affordable housing. They should also consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.

The Community Right to Build came into effect in April. It gives local communities the power to take forward development they want – be it homes, shops, businesses or facilities, with the minimum amount of red tape and subject to proposals being sustainable and having the agreement of local people through a community referendum. The form of development, and the type and tenure of any housing would be for communities themselves to decide, but the benefits must be retained for the community. It will be for communities to identify suitable land, sources of finance and secure support for their proposals, but the Government has put in place a support hub to provide help and guidance, and a project support fund, managed by the Homes and Communities Agency, to provide communities with up to 90 per cent of the costs of seeking a Community Right to Build Order or pursuing a planning application for their project.

## **Action 7**

### **Hackney London Borough Council**

*Introduce wider powers for councils to be able to reflect residents' views and influence the shape of local high streets where the concentration of particular kinds of businesses can mean that the needs of local people are not met and local communities cease to be sustainable.*

### **Action Plan**

The Government will use the Localism Bill to put in place the legal provisions for Neighbourhood Plans and aims to set out, in a new National Planning Framework, the planning policy for these by April 2012.

**Status: Action Plan implemented.**

### **Detail**

The Government introduced new provisions in the Localism Act, which allow communities for the first time to prepare statutory 'neighbourhood plans'. These plans set out policies related to the development and use of land in a given neighbourhood area. They can have policies on housing, employment, retail, design and many other planning issues. They can help town centres by enabling communities to use neighbourhood plans and orders to positively promote the sort of town centre that the community would like to see. This can include, for example, the variety of the retail offer (but not the retailer), the type of units and the design of the town centre. Once neighbourhood plans have passed examination and been supported by the local community in a referendum they form the basis for determining planning applications and guiding development proposals in that neighbourhood area.

The provisions in the Localism Act were supported by secondary legislation which came into force in April 2012, setting out a minimum level of procedures that need to be followed when preparing a neighbourhood plan. Further legislation was introduced in August 2012 and April 2013 that sets out the rules and regulations for neighbourhood planning referendums which are the final step in the neighbourhood planning process.

A year after the neighbourhood planning legislation commenced, we have one neighbourhood plan in force in Upper Eden in Cumbria and two further neighbourhood plans in Exeter and South Oxfordshire which have recently passed examination and referendum and will shortly come into legal force. In total, we have over 500 communities currently undertaking neighbourhood planning across the country. Of those a significant number are looking at policies that will promote the vitality and viability of local high streets. Examples include Thame in South Oxfordshire, Central Milton Keynes and Winsford in Cheshire.

The National Planning Policy Framework, which was published in March 2012, maintains a strong "town centre first" planning policy. It says that local authorities should recognise town centres as the heart of their communities

and pursue policies to support their viability and vitality. The Framework reflects the recommendations from the Mary Portas review, making clear that local councils should recognise their centres as the heart of their communities and pursue policies to support town centre viability.

Regulations which allow the conversion of up to two flats above shops without the need for planning permission came into force from October 2012. Also, following the issues paper published in 2011, the Government consulted on identifying new opportunities for sustainable development and growth through reusing existing buildings in 2012. The regulations for the measures that have been taken forward as a result of this consultation came into force on 30 May<sup>2</sup>.

## **Action 8**

### **Waltham Forest London Borough Council**

*The Government should reduce the time it takes to deal with appeals against the service of enforcement notices within the Planning Enforcement system.*

#### **Action plan**

The Planning Inspectorate will aim to reduce some enforcement procedure times against previous performance by the end of March 2011 and to improve upon this in all procedures by end October 2011.

**Status: Action Plan implemented.**

#### **Detail**

The Planning Inspectorate reduced enforcement procedure times against previous performance by the stated target date (March 2011). The performance was subsequently further improved across all procedures until the end of October 2011.

## **Action 9**

### **Chorley Borough Council**

*Amend Planning Policy Statement 3: Housing (PPS3) to exclude gardens from the definition of brownfield land.*

#### **Action plan**

The Government has taken decisive action to implement Chorley's proposal and has amended PPS3 to remove gardens from the classification of 'previously developed land'.

**Status: Action Plan implemented.**

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<sup>2</sup> The related Ministerial Statement is at: <https://www.gov.uk/government/speeches/planning-promoting-regeneration>

### **Detail**

We have given councils powers to stop unwanted garden grabbing. Our June 2010 changes to Planning Policy Statement 3 abolished density targets and removed gardens from being classified as previously development land (often referred to as brownfield land). Our National Planning Policy Framework maintained these changes and goes further by supporting councils to draw up their own local policies to stop inappropriate development on garden land.

## **Action 10**

### **Torridge District Council**

*Introduce financial penalties on retrospective planning applications*

### **Action plan**

The Government will consider whether councils should be allowed to set higher fees for retrospective planning applications in light of our consultation on *Proposals for changes to planning application fees in England*, which closes on 7 January 2011. If the plans within the consultation are accepted and approved by Parliament, the changes would be implemented from April 2011, with a six month transition period until October 2011.

**Status: Proposal will not be taken forward.**

### **Detail**

The Government considered full decentralisation of planning fees to local authorities, but evidence from the broader consultation process, which was undertaken in 2012, suggested that this is a complex proposal which needs further work.

The effects of decentralisation are complex and the Government has had to balance the need to ensure local authorities have the necessary resources to deliver an effective planning service alongside the effects on applicants and developers, who are key to delivering economic growth.

The Government therefore decided, on balance, to continue to set fees centrally for planning applications. In time, decentralisation should be part of a package of measures to make council planning departments more responsive to the needs of business and local residents. The benchmark work has been undertaken by the Planning Advisory Service arm of the Local Government Group. The Government will continue to support and work with the Planning Advisory Service to further develop the benchmarking work to ensure the delivery of efficient and transparent service delivery and to understand costs at the local level.

# Post Offices

## Action 11

### **Herefordshire Council**

*Establish Post Banks in local Post Offices.*

### **Mid Devon District Council/ South Hams District Council/ West Devon Borough Council**

*Give local Post Offices a much wider role in their community, in particular with regard to the provision of government services and banking services.*

### **Action Plan**

The Government will ensure that Post Offices are allowed to offer a wide range of services in order to sustain the network and sees continued growth of revenues from banking and financial services as an important part of the network's future sustainability. An agreement was reached in November between Royal Bank of Scotland (RBS) and the Post Office to allow RBS customers - including NatWest – customers to access their current and business accounts at Post Offices. This means that nearly 80 per cent of all UK current account holders will now be able to withdraw money free of charge at the Post Office.

**Status: Action Plan implemented.**

### **Detail**

Post Office Ltd is run commercially at arm's length from Government, meaning that commercial decisions are the responsibility of the company's senior management. However, Government has been clear of the need for Post Office Ltd to develop new products and services to increase its revenues as a key part of the strategy required to secure the long term financial sustainability of the network. This includes Government's support for Post Office Ltd's ambition to deliver new services to citizens on behalf of Government, and for further expansion of the range of accessible and affordable personal financial services available through the Post Office.

Since September 2011, Royal Bank of Scotland and Natwest customers have been able to access their current accounts over post office counters; a service that is particularly useful in rural communities where there is often no local bank branch. Following a recent agreement, HSBC customers can also access their current accounts at post offices, meaning that over 95 per cent of all UK current accounts are accessible at post offices. Allowing high street bank customers to access their current accounts at the post office also provides vital revenue for sub-postmasters, helping to ensure their continued viability. It remains the Government's ambition that all UK current accounts should be accessible over post office counters, and Post Office Ltd is continuing to seek commercial agreements with the one remaining high street bank that does not currently offer its customers this service.

In April 2013, Post Office Ltd announced that it would be entering the current account market. The company will initially launch its new current account in a small number of Post Office branches before a wider roll-out planned for 2014.

## **Action 12**

### **Doncaster Metropolitan Borough Council**

*Give the council and local strategic partnership an enhanced role in planning the future of the Post Office network.*

### **Liverpool City Council**

*That Post Offices can not be permanently closed until the local co-operative development office has been given the time and training budget to see if an increase in capacity could result in local people taking over the management of the premises.*

### **Sheffield City Council**

*That Sheffield City Council should be given responsibility for maintaining and sustaining the local Post Office network in our local area.*

## **Action Plan**

The Government will examine whether it is possible to implement the proposals by Doncaster and Liverpool to give them more involvement in the future development of the Post Office network in light of the results of the pilot scheme being run with Sheffield. We will keep Doncaster and Liverpool updated on the progress of the pilot. The pilot scheme is scheduled to run for 12 months, until the end of 2011.

## **Status: Action Plan implemented.**

### **Detail**

In November 2010, the Government committed to maintain the Post Office network at around its current size of at least 11,500 post offices and to modernise 6,000 branches under a programme of Network Transformation. The Government also committed to support Post Office Ltd's ambitions to become the Front Office for both local and central government services.

In late 2010, Post Office Ltd and Sheffield City Council agreed to work in partnership to protect local services, and to identify opportunities that would enable residents and businesses to access a wider range of public services at their local post offices.

A joint report published in January 2012 found that closer cooperation between Post Office Ltd and local authorities "could create opportunities to transform post office facilities, improve service standards and broaden the service offer of post offices to deliver efficient and effective joined up services."

Following the Sheffield pilot, Post Office Ltd expanded its engagement with



local government and throughout 2012 the company, with support from the Local Government Association, worked with 25 'pathfinder' councils across England and Wales to further explore and identify the opportunities for mutually beneficial service delivery that can deliver both efficiency and sustainability.

Both Doncaster and Liverpool are pathfinder councils. Post Office Ltd, in conjunction with the Local Government Association and the Department for Business, Innovation and Skills, published an evaluation of the lessons learned from these pathfinder engagements in March 2013.

## Incentives for sustainable energy

### Action 13

#### **Newcastle under Lyme Borough Council**

*Government should incentivise the generation of power within local communities for local consumption.*

#### **Birmingham City Council**

*Introduce or extend financial incentives to promote local renewable energy generation.*

#### **Brighton & Hove City Council**

*Introduce feed-in tariffs.*

#### **South Hams District Council**

*Make national funding available, perhaps through a grant system, for setting up Energy Saving Companies (either community owned and managed or in partnership with local authorities).*

### Action Plan

The Government launched Community Energy Online on 25 November.

**Status: Action Plan implemented.**

### Detail

The Government has been further supporting community renewables through:

a) taking forward work on a Community Energy Strategy for publication in late autumn 2013;

b) launching a detailed guide on community energy on GOV.UK. This has replaced Community Energy Online, which closed in March 2013<sup>3</sup>;

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<sup>3</sup> See <https://www.gov.uk/government/policies/increasing-the-use-of-low-carbon-technologies/supporting-pages/heat-networks>. The National Heat Map, which was developed to help local authorities reduce the transaction costs of mapping their heat demand, can be found at <http://tools.decc.gov.uk/nationalheatmap/>

- c) establishing an informal advisory Community Energy Contact Group<sup>4</sup>;
- d) recent changes in Feed-In Tariffs scheme, such as a tariff guarantee and certain exemptions for eligible community groups<sup>5</sup>.

In addition, the Government will launch the £15 million **Rural Communities Renewable Energy Fund** shortly. This will offer seed-funding to community groups in rural areas in England to undertake feasibility studies and planning applications for community energy projects. A range of renewable energy technologies will be eligible, including: wind, hydro, biomass, anaerobic digestion and ground or air source heat pumps. A key aim of the fund will be for local energy technologies to deliver benefits for local communities. The fund will offer grants of up to £20,000 for initial feasibility studies; funding for second stage feasibility and funding for planning applications (loans to be repaid with a premium to create a revolving fund). Similar pre-planning loan schemes exist in Scotland and Wales.<sup>6</sup>

The **Local Energy Assessment Fund**, which was operated by the Department of Energy and Climate Change from December 2011 to March 2012 provided £10 million of funding for community energy efficiency projects (to help prepare residents for the Green Deal) and community renewables projects. Over 600 applications were received from community groups in England and Wales. 236 communities were funded to undertake a range of activities including public engagement events, scoping studies, initial and detailed feasibility studies for renewables and planning applications. An independent evaluation is examining the outputs from the Fund and distilling lessons learned which will be shared with other communities. Findings will be available from early summer 2013.<sup>7</sup>

The Government also provides **Financial support for renewables** by supporting the generation of community renewable energy through financial incentives and seed-funding loans. Financial support for renewables is available through the Renewables Obligation, Feed-In Tariffs (<5MW), the non-Domestic Renewable Heat Incentive and Renewable Heat Premium Payments.

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<sup>4</sup> For details see <https://www.gov.uk/community-energy#community-energy-contact-group>

<sup>5</sup> See the [Ofgem website](#). Community groups not eligible for additional benefits can access support via the [Cooperative Hub](#).

<sup>6</sup> For further information on the rural fund, please see link on [www.wrap.org.uk](http://www.wrap.org.uk).

<sup>7</sup> See details of Local Energy Assessment Fund projects at: <http://www.greencommunitiescc.org.uk/DECCAbout.aspx>

# Promotion of sustainable energy

## Action 14

### **Cambridge City Council**

*Make it much easier to introduce renewable energy schemes.*

### **South Hams District Council**

*Encourage communities and individuals to produce and distribute energy. Recognise and support local heat distribution networks and local renewable production, located near to the source of generation.*

### **South Somerset District Council**

*Develop an information resource for local authorities and master planners involved in physical regeneration and redevelopment.*

### **South Hams District Council**

*Government needs to introduce a suite of new green initiatives to drive forward their carbon reduction agenda. Introduce a 'Renewables Kit for Businesses' – where private and public sectors can easily convert to a renewable energy supply, due to the tailoring of different kits developed by the national bodies who specialise in renewables provision.*

## **Action Plan**

The Government is committed to allowing communities that host renewable energy projects to keep the additional business rates they generate. This will be considered by the Local Government Resource Review, starting in January 2011, as part of its broader work on options to enable business rate retention.

**Status: Action Plan implemented.**

## **Detail**

The Government introduced business rates retention for the funding of local government in April 2013. As part of this new arrangement, it has legislated to ensure that the business rates paid by new renewable energy projects will be kept in full by the local planning authority.

The powers the Government has taken in the Localism Act show our determination to give local communities far more ability to shape the places where they live. The new National Planning Policy Framework was published in March 2010. This is a radical streamlining of planning policy and sets out how local councils and their communities should plan for well-designed sustainable development, protect local environments, including valued local green spaces, and support the move to a low carbon future. The Framework includes policies to help increase the use and supply of renewable and low carbon energy, including policy to support community-led initiatives. The Government also intends to produce new, streamlined planning guidance in this year that will support the Framework and be in a clearly accessible format

for anyone involved in the planning system.

The Government has a policy for all new homes to be zero carbon from 2016. The Department for Communities and Local Government is working towards making an announcement on next steps on zero carbon, including on the means of delivering allowable solutions, by Summer Recess. Building Regulations are expressed in functional terms. They set energy performance standards expressed in the form of carbon dioxide (CO<sub>2</sub>) targets, subject to achieving energy efficiency back stops, but do not prescribe how to achieve those targets. Therefore it is open for developers already to use renewable energy systems to meet Building Regulation requirements.

Also, see the response to Action 13.

## **Action 15**

### **Birmingham City Council**

*Remove barriers to the local grid. In particular, lifting the ceilings on the use of private electricity wires to supply domestic customers, and on electricity exports onto the grid from private wires.*

### **Lewes District Council**

*Develop a strategy to enable councils to promote local energy schemes and in particular review the requirements regarding private wire systems.*

### **Action Plan**

The Department of Energy and Climate Change will examine the implications of making third party access to the grid mandatory and are aiming to consult on this by the end of 2010.

**Status: Action Plan implemented.**

### **Detail**

In October 2010 the Department of Energy and Climate Change consulted on the provision of third party access to licence exempt electricity and gas networks. A Government response was published in January 2011 as part of the overall conclusions on implementation of the European Union Third Internal Energy Package<sup>8</sup>.

The Regulations set down in law the right of consumers supplied via a licence exempt electricity and gas network to choose a third party supplier and to be supplied over that network.

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<sup>8</sup> See <https://www.gov.uk/government/consultations/providing-third-party-access-to-licence-exempt-electricity-and-gas-networks>. The European Union Third Package implementing regulations - the Electricity and Gas (Internal Markets) Regulations 2011 came into force on 10 November 2011. DECC has also published Guidance.

## **Action 16**

### **South Hams District Council**

*That the Government introduces a range of new 'green' initiatives, including anaerobic digestion based fuel for public transport' – where local authorities utilise the organic waste they collect to produce 'green' fuel for public transport.*

### **Action Plan**

The Government will publish a detailed Anaerobic Digestion strategy by May 2011. This work is feeding into the wider review of waste policies, which is due to report in the spring 2011, and has the potential to contribute to the Government's objectives for renewable energy and for sustainable food production.

**Status: Action Plan implemented.**

### **Detail**

The Anaerobic Digestion Strategy and Action Plan was published in June 2011. This was developed by the Government, working with interested parties. The Department for Environment, Food and Rural Affairs has set up a stakeholder Steering Group to oversee delivery of the Action Plan and published a progress report in July 2012.

## **Action 17**

### **Redbridge London Borough Council**

*Review the current signs regulations and General Direction to relax the illumination requirements for some road signs.*

### **Action Plan**

The Department for Transport will invite Redbridge to become involved in their work to review their policy on traffic signing.

**Status: Action Plan implemented.**

### **Detail**

The Department for Transport met the council, to discuss the findings of research undertaken on the illumination requirements for traffic signs as part of the traffic signs policy review. The Department published "Signing the Way" in October 2011 setting out the key findings from the review. Recommendations included proposals for further deregulation of the illumination requirements, whilst maintaining the requirement for lighting safety critical signs. The Department is drafting these changes and the revised Traffic Signs Regulations and General Directions will come in to force at the end of 2014.

## **Action 18**

### **North Yorkshire County Council**

*Introduce a range of measures in the public sector estate (especially the health and education sectors) to promote energy efficiency, and install energy and money saving meters in homes.*

#### **Action Plan**

The Government recently consulted on how to roll out smart meters. The Government will analyse the consultation responses and develop a plan for subsequent phases of the programme, by April 2011.

**Status: Action Plan implemented.**

#### **Detail**

In March 2011, the Government and Ofgem jointly published the Government's Response to the Smart Meter Prospectus. This set out the overall strategy and a number of key dates for the roll-out of smart metering across Great Britain. Good progress has been made since then. This includes establishing a regulatory framework that will drive roll-out while protecting and engaging with consumers and supporting the delivery of early benefits and operational experience from energy suppliers that are already deploying smart meters.

Following discussions about the period required to build and test smart metering systems, the Government expects suppliers to be ready to start their full scale roll-out by Autumn 2015, with a completion date of 2020. As part of its work to prepare for the rollout of smart meters, the Energy Saving Trust completed a research project for the Programme during 2012 to help it understand how community groups might best be involved in consumer engagement.<sup>9</sup>

## **Action 19**

### **South Somerset District Council**

*Improve home insulation and other energy saving measures in people's homes, with a priority for older people, the 'near poor' and 'hard to treat' housing stock.*

#### **Action Plan**

In addition to action already taken to extend and refocus the Carbon Emissions Reduction Target obligation in summer 2010, the Government will drive greater energy efficiency in households (and businesses) through a Green Deal and a supporting energy company obligation. This will be

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<sup>9</sup> The Government has published the research report (<https://www.gov.uk/government/policies/helping-households-to-cut-their-energy-bills/supporting-pages/smart-meters>). The report provides evidence and practical ways forward to help ensure that community groups can play an effective role in the roll-out alongside other interested parties.

achieved through an Energy Security and Green Economy Bill in late 2010, a detailed policy consultation in late 2011 and new secondary legislation in early 2012, with the aim of changes coming into force by January 2013.

**Status: Action Plan implemented.**

#### **Detail**

Action was taken to extend and refocus the Carbon Emissions Reduction Target obligation in summer 2010. Although this scheme ended in December 2012, the Government is driving greater energy efficiency in households (and businesses) through the Green Deal and supporting Energy Company Obligation, which launched in January 2013. This is designed to support people living in hard to treat homes and those in or at risk of fuel poverty. It will provide basic heating and/or insulation measures to 230,000 low income households and households in low income areas per year.

### **Action 20**

#### **Oxford City Council**

*Provide interest free loans to householders to retrofit their house which are repayable over the period that it takes them to recoup the investment cost through savings in energy bills and are transferable to subsequent owners / tenants to dissuade short-sightedness.*

#### **Action Plan**

We will design a Green Deal finance mechanism to: (a) help households and businesses fund energy efficiency improvements through savings on their energy bills, and (b) pass that charge onto a future bill-payer so that they only pay whilst enjoying the benefits. The Department of Energy and Climate Change has set out the steps it will take to implement the Green Deal in its Business Plan which will be updated monthly.

**Status: Action Plan implemented.**

#### **Detail**

The Green Deal was launched in January 2013. It enables consumers to pay for some or all of the cost of energy-saving property improvements, like insulation, over time through savings on their energy bills. It will open up the energy efficiency market, boost the burgeoning low carbon economy - supporting up to 60,000 jobs in the insulation sector alone by 2015 - and empower both consumers and businesses through new ways of funding options and innovative opportunities to compete for energy efficiency.

The Department of Energy and Climate Change allocated around £23 million to local authorities across the country to fund early Green Deal activity (including Oxford City Council). In addition, the Local Energy Assessment Fund (see Action 13) supported 236 communities, raising awareness of the Green Deal and undertaking feasibility studies between December 2011 and March 2012.

# Future of the Sustainable Communities Act

## Action 21

### Wiltshire Council

*The Sustainable Communities Act consultation process should not just be a one off, but be ongoing, or at least held once per year.*

### Action Plan

The Government issued a second invitation to local authorities to submit proposals under the Sustainable Communities Act on 15 December 2010. We have established an online portal which will enable local authorities to submit proposals at a time of their choosing, and with no deadline for doing so. We will revoke the current burdensome regulations and will consult on new, light-touch regulations by the end of January 2011.

**Status: Action Plan implemented.**

### Detail

The Government made regulations in 2012 to govern the management of proposals submitted under the Sustainable Communities Act 2007. In addition, to further enhance the ability of communities to get involved in the development of proposals under the Act the Government has announced that it is extending the powers to submit proposals under the Act to town and parish councils.

## Ring-Fenced Grants

## Action 22

### Borough of Poole

*Give greater flexibility to local authorities on spending of ring-fenced grants.*

### Action Plan

As part of the 2010 Spending Review, the Government announced the ending of all ring-fencing for revenue grants from 2011-12, except simplified schools grants, and the new Public Health Grant to be introduced from 2013.

**Status: Action Plan implemented.**

### Detail

Government policy is not to ring-fence grants to Local Authorities. The only ring-fenced grants now paid by Government are Dedicated Schools Grants, and the new Public Health Grant. Ring-fenced grants will only be paid in very exceptional circumstances.



# Community assets

## Action 23

### **South Hams District Council**

*Establish a Community Right of Purchase giving properly constituted community bodies the right to purchase land or buildings being offered for sale.*

*Legislate to give Councils a duty to transfer any inefficiently utilised asset, on the request of a properly constituted Community Body with a sound business case, wherever it can reasonably be argued this is in the public interest and has community support.*

*This duty would confirm the obligation to publish and annually review a Schedule of Land and Building Assets, identifying those considered to be inefficiently utilised.*

### **Wirral Metropolitan Borough Council**

*Make changes to central government legislation or improve national funding relating to Community Asset Transfer.*

## **Action Plan**

The Localism Bill, published on 13 December, will set out the broad framework for introducing the Community Right to Buy scheme referred to above. A consultation document will be issued early in 2011, explaining the scheme in more detail, and seeking views on the detailed provisions to be set out in regulations. Once the Bill has received Royal Assent, likely to be autumn 2011, regulations drafted in the light of the consultation responses, will be put before Parliament. We expect the scheme to be commenced either in April 2012, or possibly October 2012.

**Status: Action Plan implemented.**

## **Detail**

The Government does not wish to impose a duty in the precise way that South Hams suggest, as we believe it would unacceptably restrict the freedom of local authorities to manage their assets strategically. However we have made it easier, through the Localism Act, for communities to bid to take over assets. The provisions, which came into force in September 2011, place a duty on local authorities to list Assets of Community Value. A moratorium on the sale of listed assets will give community groups time to prepare a bid to buy the land or building. We believe these new powers will implement the proposal in part.

The Department for Communities and Local Government is making £17.5 million of grants available through the Social Investment Business to community groups and parish councils who want to run a community asset.

The Department has also made it easier to bring land back into use by reforming the Public Request to Order Disposal process and increasing the

numbers of organisations covered by it. Anyone can send a Request to the Secretary of State setting out why they think:

- that land or property covered by the Request process is under-used or vacant; and
- that there are no suitable, consulted upon and publicly tested plans in place or likely to be put in place in an acceptable period of time; and
- why the land should be disposed of in order to enable it to be brought back into use.

Two types of organisation are covered by the reformed Request process. These are public sector bodies that are listed in the latest version of, what is known as, Schedule 16 and a range of bodies that for legal reasons cannot be included in the Schedule. Instead the Department for Communities and Local Government will sign a Memorandum of Understanding with organisations that allows their land to be treated in a similar manner.

If the evidence supports the Request being made, the Secretary of State will, under the statutory process, order disposal of the land. Under the parallel process, a letter will be issued that recommends, but cannot require, that the organisation dispose of the land. Disposal will normally mean that the land is sold in the open market. By doing this community groups or others may be able to acquire the land and bring it back into a beneficial use.

## **Action 24**

### **Southwark Council**

*Establish a national Plastic Bag Free day to coincide with the International event.*

### **Action Plan**

The Department for Environment, Food and Rural Affairs will invite Southwark to work with them to further discuss how a National Bag Free Day could be promoted voluntarily.

**Status: Proposal will not be taken forward.**

### **Detail**

After consultation the Government decided that this action would not be taken forward due to a lack of resources.

# Licensing

## Action 25

### **Darlington Borough Council**

*A new power to enable licensing committees to take account of representations about local views on 'sufficiency' in relation to the provision of premises from which alcohol can be bought.*

### **Bury Metropolitan Borough Council**

*Add 'protecting and improving public health' to the four existing objectives of the Licensing Act 2003.*

### **Islington London Borough Council**

*Give the council the power to decide if an area is saturated with gambling and/or off license premises so that it can then restrict new licences being granted (or existing licences being extended).*

*Extend the notice period for temporary event notices.*

### **Nottingham City Council**

*Extend the period for closure of noisy premises from 24 hours to a period to be determined by the Local Authority/Police, but not to exceed 7 days.*

## **Action Plan**

The final package of policy proposals to re-balance the Licensing Act will be taken forward in the Police Reform and Social Responsibility Bill published on 1 December 2010. The Bill had its second Reading on 13 December.

**Status: Action Plan implemented.**

## **Detail**

The Police Reform and Social Responsibility Act 2011 received Royal Assent in September 2011. This included a wide-ranging package of reforms to rebalance the Licensing Act 2003 in favour of local communities. The Government brought these licensing reforms into force in either April or October 2012 (except for measures on locally-set licensing fees, for which it intends to introduce regulations in the summer of 2013). The statutory guidance issued to licensing authorities by the Home Secretary under the Licensing 2003 has also been overhauled.

Licensing Authorities already had powers to impose a cumulative impact policy in their local area, where there is evidence that the density of premises selling alcohol is contributing adversely to crime and disorder, public nuisance, public safety or harm to children in that area (that is to say, based on the four statutory licensing objectives). A cumulative impact policy creates a rebuttable presumption that applications for a new licence or variation to an existing one will normally be refused unless the applicant can demonstrate that such cumulative harms will not be added to. The Government extended its statutory guidance on the Licensing Act 2003 to make it expressly clear that a cumulative impact policy could apply to concentrations of any licensed premises.

The changes to both guidance and legislation that the Government introduced in April and October 2012 make it easier for a local authority to introduce a cumulative impact policy as the evidence-threshold was lowered (from the test of what is “necessary” to promote the licensing objectives to the test of what is “appropriate” to do so). These new provisions meet the aims of the proposal from the London Borough of Islington in relation to the sale of alcohol at off-licence premises and, to an extent, those of Darlington on “sufficiency”.

Darlington proposed giving powers to local authorities to consult the public more widely on the introduction of a cumulative impact policy, or policy on “sufficiency”. Local authorities are already required, under section 5 of the Licensing Act 2003, to consult various parties, including representatives of local businesses and residents on their licensing policy statement, which they must review every 5 years. The Government’s licensing reforms - commenced in April 2012 – have increased the potential for public engagement in local authority functions, including alcohol licensing and the regulation of entertainment other than gambling. This includes the abolition of the “vicinity test” so that anyone can now make representations in relation to a premises licence or seek a review of an existing licence based on the promotion of the licensing objectives. The Government has also increased transparency by requiring local authorities to publish key information about licensing applications on-line.

Islington also suggested extending the notice period for temporary event notices. The Government has not done this but it has reformed the process to introduce additional safeguards whilst at the same time seeking to ensure it remains a light-touch system without being overly bureaucratic.

The Government has more recently proposed further reforms to allow local authorities to introduce their own locally-determined, simplified processes for temporary event notices if they so wish. It consulted on these and other proposals on temporary event notices as part of the wider public consultation on its new Alcohol Strategy, published in March 2012. The consultation ended in February 2013. The Government response will be published in due course.

The Alcohol Strategy and public consultation also included a proposal to introduce a health-related licensing objective specifically related to cumulative impact (see above). This goes some way to meeting the suggestion from Bury Metropolitan Borough Council. In addition, as part of the Police Reform and Social Responsibility Act 2011 reforms, the Government has already given health bodies a greater say in licensing (by making them responsible authorities under the Licensing Act 2003 on a par with the police). This means that health bodies automatically receive notification of applications for new licences or changes to existing ones and can make representations based on the existing licensing objectives (the prevention of crime and disorder; public nuisance; public safety; and the protection of children from harm). Following changes introduced through the Health and Social Care Act 2012 and related regulations, this role of responsible authority is now fulfilled by Directors of Public Health in England and Local Health Boards in Wales.

## **Action 26**

### **Kettering Borough Council**

*Give licensing authorities, in conjunction with the police or the local Crime and Disorder Reduction Partnership, powers to prevent supermarkets selling alcohol below a certain price floor.*

#### **Action Plan**

The Government will ban the sale of alcohol below cost price and carry out a review, currently due to be concluded by April 2011, of alcohol pricing and taxation, to ensure that it tackles binge drinking without unduly impacting on responsible drinkers and businesses. HM Treasury announced the outcome of the taxation element of the review on 30 November 2010.

**Status: Action Plan not yet complete.**

#### **Detail**

The Government consulted on a minimum unit price for alcohol as part of the wider consultation on its Alcohol Strategy. At the time of writing, the Government is considering the responses to the public consultation and will make an announcement on this in due course.

## **Health**

## **Action 27**

### **Southend-on-Sea Borough Council**

*We require a one year extension to use the capital grant in 2010/11; this would enable the provision of integrated and co-located services within the St Lukes Healthy living Centre CIC.*

#### **Action Plan**

The Government will roll forward the capital funding allocated to the St Lukes Health Centre in 2009-10 to 2010-11. Southend-on Sea has already been notified.

**Status: Action Plan implemented.**

#### **Detail**

Department of Health approval was given to allow Southend-on-Sea Borough Council to carry forward funding from 2009-10 to 2010-11 in accordance with their specific programme. No further action required.

# Business Rates

## Action 28

### **Birmingham City Council**

*Increase the current ceiling on small business rate relief.*

### **Doncaster Metropolitan Borough Council**

*Give small businesses automatic rate relief.*

### **South Gloucestershire Council/ Islington London Borough Council**

*Introduce automatic small business rate relief rather than businesses having to apply for it.*

### **Action Plan**

The Government is proceeding with the temporary increase in Small Business Rates Relief for 12 months from October 2010, as announced in the June Budget. The Government will, through the Localism Bill, remove the legal requirement for authorities to submit an application form in order to claim Small Business Rate Relief.

**Status: Action Plan implemented.**

### **Detail**

The Government has now doubled Small Business Rate Relief for three and a half years. The increased relief will apply throughout the whole of 2013-14. Under the Localism Act 2011, a power was taken to make regulations that remove the legal requirement for ratepayers to submit an application form in order to claim Small Business Rate Relief. The necessary regulations have now been made.

## Action 29

### **Birmingham City Council**

*Introduce accelerated development zones (ADZs) to fund the provision of new capital infrastructure such as transport, major cultural facilities and housing.*

*Allow the council to retain the increase in business rate in an ADZ area for an agreed number of years to pay for the infrastructure provided in the zone.*

### **Action Plan**

The Local Government Resource Review, starting in January 2011, will consider the most appropriate way of delivering Tax Increment Financing in the context of proposals to allow authorities to keep their local business rates.

**Status: Action Plan implemented.**

**Detail**

Following the introduction of business rates retention from April 2013, all councils will be able to borrow (within the existing prudential borrowing system) against retained business rates and to invest in infrastructure unlocking growth. Additionally, the Government has provided support to 'New Development Deals' (formerly known as Tax Increment Financing 2 schemes), in Newcastle, Nottingham and Sheffield. These will enjoy the same long term guarantees over future revenues that are already available in Enterprise Zones, specifically for the purposes of bringing forward infrastructure and unlocking growth.

**Action 30****Brighton & Hove City Council**

*That national government introduce a business rates local protection scheme which gives councils the authority to offer discretionary business rate relief to encourage and sustain small and medium local businesses.*

**Bristol City Council**

*Government to extend Business Rate Relief to provide the same relief to urban Post Offices as rural.*

**Central Bedfordshire Council**

*The introduction of a 5 year discretionary rate relief for small businesses in the area operating the development and production of low carbon technologies related to this sector.*

**Doncaster Metropolitan Borough Council**

*Give local authorities wider powers to grant business rate discounts.*

**Lambeth London Borough Council**

*Give local authorities the power to vary National Non Domestic Rates for those businesses that deliver social benefits.*

**Oxford City Council**

*Promoting and supporting local businesses through a more flexible Business Rate Relief system.*

**South Hams District Council**

*That the Government gives Local Authorities the power to apply rate relief to businesses that earn 50% of their turnover from selling local foods and goods and that this be fully funded by central government.*

**Waltham Forest London Borough Council**

*Allow discounts on business rates to be set by local criteria.*

*Introduce legislation which will allow councils to offer discounts on business rates based on locally-set criteria. The funding for these discounts would be borne by the local authority but this would be offset against the benefit to the local community.*

**Action Plan**

Through the Localism Bill the Government will give councils the power to set local discounts on business rates, provided that they are funded locally. This will give councils the ability to respond to local circumstances such as

supporting the local pub or Post Office if they are struggling or encouraging new start-up enterprises.

**Status: Action Plan implemented.**

#### **Detail**

We have taken powers in the Localism Act 2011 for discretionary business rates discounts so that local authorities will be able to respond to local circumstances by reducing business rates bills, as they see fit. The necessary regulations have now been made and have been available to local authorities, since April 2012.

### **Action 31**

#### **Borough of Poole**

*The ability to retain and influence the setting of the national non-domestic rate collected by the council.*

#### **Chorley Borough Council**

*Give Councils the power to retain a proportion of the revenue from business rates to be spent on local priorities or to have the power to raise revenue through this mechanism by giving powers back to local authorities to set a local levy.*

#### **East Lindsey District Council**

*Allow the council to retain a proportion of national non domestic rates received from caravan parks for reinvestment into local community renewal projects, flood alleviation schemes, emergency planning measures, community enterprise schemes and town/village enhancements.*

#### **Islington London Borough Council**

*Allow local authorities to keep and spend business rates collected in their area to spend on local services and priorities.*

#### **Kingston upon Thames Royal Borough Council**

*Allow Kingston to keep a proportion of the business rates collected which would be ring-fenced for investment in programmes that contributed to local economic and social sustainability.*

#### **Liverpool City Council/ City of York Council**

*Allow local authorities to retain business rates for local spending.*

#### **Southend-on-Sea Borough Council**

*Retain 2% of business rates and landfill per annum to reinvest in local communities.*

#### **St Albans City and District Council**

*Allow the council to collect and retain 10% of business rates to provide stronger support (locally) for small business set up, training, guidance and infrastructure projects benefiting local businesses.*

#### **Warwick District Council**



*Allow local retention of business rates so they can be spent on locally determined priorities.*

**Westminster City Council**

*Ring fence a proportion of the business rates collected in the city so that the City Council can invest in its City Recovery programme and economic development related activities.*

**Action Plan**

The Government will undertake a Local Government Resource Review from January 2011. Local business rate retention will be considered within this review. This is a significant opportunity to consider a range of options to provide genuine incentives for local economic growth through the business rates regime, and to equip local authorities with the tools to support that role. Local authority, business and other stakeholder views will be vital in informing the Government as we carry out this work.

**Status: Action Plan implemented.**

**Detail**

The Government introduced the local retention of business rates with effect from April 2013. The legislative framework is provided by the Local Government Finance Act 2012. The local government finance settlement for 2013-14 provides local government with a 50 per cent share of business rates. Councils will also be able to keep any increase in business rates revenues on that share.

## Restrictive covenants

**Action 32**

**Darlington Borough Council**

*Prohibit restrictive covenants that prevent any future use of a property as a 'local service' as defined by the Sustainable Communities Act.*

**Newcastle upon Tyne City Council**

*The creation of statutory powers to prohibit large pub and retail companies from imposing restrictive covenants.*

**Ryedale District Council**

*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.*

**Action Plan**

The Government will, by June 2011, undertake a public consultation on the issue of covenants, with a particular focus on understanding the impact they have on pubs and communities, and seeking views on the necessity and form of powers to restrict their use.

**Status: Action Plan not yet complete.**

### **Detail**

Consultation was launched in August 2011. The primary aim of the consultation was to gather an evidence base to use to assess whether there was an issue terms of pubs closing as a result of restrictive covenants impacting negatively upon local communities. The Government aims to publish its response to the consultation by the end of October.

In addition, the Beer and Pub Association has produced guidance for their members to use restrictive covenants only in exceptional circumstances and having had due regard to the needs and views of the local community.

## **Economic growth**

### **Action 33**

#### **Windsor & Maidenhead Royal Borough**

*Devolve the provision of Information, Diagnosis and Brokerage (IDB) services, and their associated budgets, to the local authority.*

### **Action Plan**

The Government has invited Thames Valley Berkshire to develop a governance structure which will enable it to decide on its local priorities.

**Status: Action Plan implemented.**

### **Detail**

The Thames Valley Berkshire board is now in place. Windsor and Maidenhead is the accountable authority for funds. The Local Enterprise Partnership has identified its priorities, which include promoting enterprise and supporting business growth. The Department for Business, Innovation and Skills is in discussion with the Partnership about its local match for £250,000 core funding which is predicated on the six unitary authorities, including Windsor and Maidenhead, contributing from their own resources, as well as private sector board time. Lastly, Business Link developed web-based content and online tools have been offered to Local Enterprise Partnerships on a syndication basis to be used locally.

## **Local governance**

### **Action 34**

#### **East Lindsey District Council**

*Change legislation to require a parish poll on a question or the appointment to an Office, with a larger number of those present at the meeting, with a de minimis included.*

### **Action Plan**

The Government has committed to give residents the power to instigate a local referendum on any local issue, and will consider the issues surrounding parish polls carefully as we take this work forward. The powers are contained in the Localism Bill, introduced in December.

**Status: Proposal will not be taken forward.**

### **Detail**

This proposal was not taken forward following objections in the House of Lords.

## **Housing**

### **Action 35**

#### **Birmingham City Council**

*Local Authorities be granted the same flexibility as other Registered Social Landlords to grant assured and assured shorthold tenancies, as well as secure tenancies.*

### **Action Plan**

The Government will include clauses in the Localism Bill which will create a new shorter term 'flexible' tenancy for social landlords to use alongside existing secure lifetime tenancies. Subject to Parliamentary approval, the Government intends to commence these provisions in autumn 2011 at the earliest.

**Status: Action Plan implemented.**

### **Detail**

Provisions in the Localism Act, which came into force in April 2012, allow local authority landlords to grant flexible tenancies of fixed terms alongside or instead of 'lifetime' secure tenancies to new tenants. These changes mean that local authorities now have significant new freedoms to grant tenancies that better meet the needs of individual households and local housing priorities.

### **Action 36**

#### **Cambridge City Council**

*The Government should change current arrangements to allow Cambridge City Council to keep all revenue collected from Council housing rents and all receipts from Right to Buy sales of Council homes.*

**City of York Council**

*City of York council should be able to keep all of its council housing rental income and not be subject to the Housing Revenue Account subsidy Regime.*

**South Kesteven District Council**

*Allow the council to retain 100 per cent of the rent it collects from its housing stock.*

**South Lakeland District Council**

*Increasing supply of affordable housing by returning 100 per cent of council housing rents to the local authority area which they came from in order to fund new affordable housing.*

**Warwick District Council**

*Councils should keep all the rental income on council properties.*

**East Devon District Council**

*Allow all local authorities to keep all the council home rent it collects from its tenants rather than sending this back to government.*

**Stroud District Council**

*The national formula for assessing rents should be kept up-to-date and provide sufficient flexibility to enable effective local decision making. Local adjustments to formula rents of up to 10% could be allowed to recognise local factors.*

*Limit rents should be discontinued by the end of the original re-structuring period.*

*Remove charges for capital from any subsidy calculations to ensure that the resultant 'grant' is meaningful. (Repay notional debt rather than funding interest.)*

*Review methodologies to produce realistic estimates for housing repairs and other costs to provide a realistic long term plan that supports a consistently decent standard of housing.*

**Action Plan**

Subject to Parliamentary approval we intend to implement "self-financing" through powers in the Localism Bill, during this session of Parliament.

**Status: Action Plan implemented.****Detail**

In April 2012 Government, using powers in the Localism Act, ended the Housing Revenue Account subsidy system and replaced it with self-financing. Under this new system local authorities now keep all their rental income enabling far better long term investment management.

In addition to confirmation in the Spending Review 2010 that the pooling of Right to Buy receipts would continue, the Government announced in August 2011 its intention to re-invigorate the Right to Buy and to use receipts arising from additional sales to fund replacement homes. Following consultation the Government decided that this was best achieved through giving local authorities the opportunity to invest additional receipts themselves (and, as at

the end of May 2013, 160 out of 167 had taken up the offer). Where local authorities have chosen not to take up this option, the receipts have been surrendered to central Government for investment in new affordable homes through either the Homes and Communities Agency or the Greater London Authority as appropriate. At the end of December 2012 increased Right to Buy sales had generated £47.8m for investment in new supply.

## Statistics

### Action 37

#### **Westminster City Council**

*Government should abandon its current methodology for calculating local authority area population estimates and instead works with the council to establish a more accurate methodology.*

#### **Action Plan**

The Government will deliver the final set of improved methods for estimating population levels by March 2012.

**Status: Action Plan implemented.**

#### **Detail**

The Migration Statistics Improvement Programme delivered improved methods for estimating local authority international immigration using administrative data in November 2011. The Programme was closed in March 2012 and these improved methods were incorporated into the interim 2011-based population sub-national projections published in September 2012 and will be a component of future mid-year population estimates.

## Benefits

### Action 38

#### **South Somerset District Council**

*Issue regulations within the Welfare Reform Act 2007, laying out the circumstances in which claimants can undertake work through the Community Allowance while their benefits status is protected.*

*Recognise the results of pilots and if successful, amend the benefits rules enabling individuals to earn up to 15 hours per week on the minimum wage on top of their benefits.*

#### **Action Plan**

The Government will, by 2013, introduce a Universal Credit which will improve financial work incentives by ensuring that support is reduced at a consistent and managed rate as people return to work and increase their working hours and earnings. People will generally keep more of their earnings for themselves and their families than is currently the case.

**Status: Action Plan implemented.**

**Detail**

The Universal Credit Pathfinder started in areas of Greater Manchester and Cheshire on 29 April, six months ahead of progressive national roll out in October.

Each of the four Jobcentres chosen to be part of the Pathfinder are trialling a range of Universal Credit activities. Ashton-under-Lyne was the first Jobcentre in Great Britain to accept claims for Universal Credit. Oldham, Warrington and Wigan are already trialling the Claimant Commitment, applying a more intensive approach to work search and ensuring new Jobseeker's Allowance claimants are signed onto Universal Jobmatch - and will take claims for Universal Credit from July.

The Pathfinder enables the Government to test the end to end service on a small scale and in a live environment before progressively rolling out nationally from October 2013. The transition from the current system of benefits and tax credits to Universal Credit will be gradual and it is expected to be completed by the end of 2017.

The Department for Work and Pensions will continue to adjust the exact timing and sequence of the migration process in the light of experience from operating the pathfinder in the Greater Manchester area.

## Local amenity

### **Action 39**

#### **Nottingham City Council**

*Government should make changes to legislation to help tackle the issue of fly posting.*

#### **Action Plan**

The Government has included a clause into the Localism Bill to deal with persistent fly-posting which will allow local planning authorities to serve an 'action notice' on the owner or occupier of the land where the posters have been stuck. The action notice requires the owner or occupier to take specified measures to prevent or reduce the frequency of the unauthorised advertisements. If action is not taken, the authority may take the specified action itself and recover its expenses from the owner or occupier. Subject to Parliamentary approval, we expect this to come into force by April 2012.

**Status: Action Plan implemented.**

**Detail**

The necessary regulations from the Localism Act 2011 are now in force.





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