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INTRODUCTION

The Sustainable Communities Act 2007 (SCA), as amended in 2010, can be used by local (parish and town) councils to inspire their communities to agree with them on new and innovative ways of improving their area.

Since 14 October 2013, local councils have been able to make direct proposals under the Act to the Secretary of State for Levelling Up, Housing and Communities.

Local councils should visit the Department for Levelling Up, Housing and Communities (DLUHC) webpage to find more context about the Act (see <https://www.gov.uk/government/publications/sustainable-communities-act-and-barrier-busting/sustainable-communities-act-and-barrier-busting-how-to-submit-proposals>).

PURPOSE

The Act was amended in 2010 to help improve the procedures for receiving, considering, and taking decisions on SCA proposals.

The legal order extending the powers to local councils to submit proposals commenced on 14 October 2013.

There are no deadlines for submitting proposals under the second-round invitation of the Act.

NALC SECTOR ROLES

The Act's implementation is governed by the Sustainable Communities Act Regulations 2012 (<https://www.nalc.gov.uk/library/members-library/toolkits/sustainable-communities-act-toolkit/1167-sca-2012-regulations-1/file>).

If the secretary of state rejects a local council proposal made to them under the Act, they will directly communicate this to the proposing council. However, if the proposing local council wishes either the original proposal or an amended version to be resubmitted to the secretary of state for consideration, it must re-submit the (new) proposal to NALC at chris.borg@nalc.gov.uk.

NALC will then discharge its statutory duty as Parish Selector under the Act (see <https://www.nalc.gov.uk/library/members-library/toolkits/sustainable-communities-act-toolkit/1161-2-1-mou-nalc-sca-proposal-review-terms-of-reference-2/file>), and, as appropriate, ensure that its Sustainable Communities Advisory Board (a function now absorbed by the NALC Policy Committee) considers the re-submission request at an appropriate quarterly meeting.

The NALC Selector Criteria is applied to local council proposal re-submission requests (see <https://www.nalc.gov.uk/library/members-library/toolkits/sustainable-communities-act-toolkit/1162-2-2-mou-nalc-selector-criteria-sca-3/file>).

NALC'S ADVISORY BOARD

Under its responsibility as Parish Selector under the Act, NALC established an Advisory Board (the Sustainable Communities Advisory Board, now the NALC Policy Committee) to help it make decisions on whether to re-submit proposals for the secretary of state's consideration at the Department for Levelling Up, Housing and Communities.

Notes from the board's meeting on 23 September 2014 (see <https://www.nalc.gov.uk/library/members-library/toolkits/sustainable-communities-act-toolkit/1163-nalc-sca-board-session-notes-4/file>).

The boards draft terms of reference (see <https://www.nalc.gov.uk/library/members-library/toolkits/sustainable-communities-act-toolkit/1164-nalc-sca-board-tor-5/file>)

PROCEDURE FOR REQUESTING PROPOSAL RESUBMISSIONS

NALC will try to agree with the government on a proposal submitted by it to ensure that it can publish a final decision on whether/how the proposal will be implemented within six months of NALC resubmitting it.

NALC will also notify the secretary of state in writing of any proposals it wishes to submit within four months of receiving written notice from a local council that it wishes to re-submit a proposal initially rejected by the government.

LOCAL CONSULTATION

Early feedback from the government on local council proposals submitted under the Act from 2013 was very clear — that some parish proposals had not evidenced or engaged in local consultation outside the council chamber with residents that — on a given policy issue — an SCA proposal is the most appropriate tool of engagement to use.

Local councils must, therefore, not just engage with residents to consult with them on whether an SCA proposal is the most appropriate policy tool to use but should also evidence such specific consultation when submitting their proposal.

A rejected parish proposal has been agreed in writing between DLUHC and NALC to have been accepted for consideration by the Secretary of State at DLUHC and then considered by that person before being rejected.

If a parish proposal is rejected, the proposing parish will receive a letter from DLUHC confirming this, containing details of the relevant NALC officer to whom resubmitted proposals should be sent with the appropriate request for the NALC Sustainable Communities Advisory Board to consider that re-submitted proposal.

An example of a survey form used by Bunwell Parish Council in Norfolk for its residents to support its proposal under the Act to have free charging points for electric vehicles (see <https://www.nalc.gov.uk/library/members-library/toolkits/sustainable-communities-act-toolkit/1165-questionnaire-for-electric-cars-6/file>).

THUMBNAILS

See the table below to view recent local council proposals submitted to the government under the Sustainable Communities Act 2007 (amended 2010) by theme:

Proposing local council	Policy theme	Outcome
Bleadon Parish Council (Dorset)	Cheques and electronic agenda	Adopted by the government
Tenterden Town Council (Kent)	NHS services	Responded to by government
Sevenoaks Town Council (Kent)	Business rates	Not progressed
Frome Town Council (Somerset)	Open spaces	Not progressed
Chesham Town Council (Buckinghamshire)	High Speed Two	Responded to by government
Wingham Parish Council (Kent)	Vehicle operator licensing	Policy steer provided by Department for Transport
Bunwell Parish Council (Norfolk)	Vehicle charging points	Response received from government
Burton on the Wolds, Cotes & Prestwold Parish Council (Leicestershire)	Neighbourhood planning committees	Relevant neighbourhood planning guidance updated
Lathom South Parish Council (Lancashire)	Nationally significant infrastructure projects	Government response received
Barrowden Parish Council (Leicestershire)	Building controls	Position formally adopted as NALC policy
Weymouth Town Council (Dorset)	Dependants' Carers' Allowance	Ongoing