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The Sustainable Communities Bill Committee Stage Report

This is a report on the Committee Stage of the *Sustainable Communities Bill*, produced in response to a recommendation of the Modernisation Committee in its report on *The Legislative Process* (HC 1097, 2005-06).

This is a pilot Committee Stage Report and we would welcome all feedback on its content and format. This should be sent to papers@parliament.uk or to the Director of Research Services, Rob Clements (x3622).

This Private Member's Bill received a second reading on 19 January 2007 and has been substantially redrafted in the Public Bill Committee stage, which ended on 23 May 2007. The Bill is due to have its report stage on Friday 15 June where further Government and other amendments are expected. The Bill contains provisions to ensure the drawing up of action plans to promote the sustainability of local communities which are informed by grass roots representations. There are also provisions for the Secretary of State to produce local spending reports for local authorities to recommend changes.

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Summary

The *Sustainable Communities Bill* is the product of several years' campaigning by a pressure group, Local Works, which has highlighted the closure of banks, pubs, corner shops, grocers and newsagents, causing 'deserts' where local communities no longer have easy access to shops and jobs, and leading to 'creeping homogenisation' of British towns and villages. Earlier versions of the Bill have been introduced to Parliament in sessions since 2001-02 by Liberal Democrat Members, but made no progress. The Conservative backbencher, Nick Hurd, came first in the ballot for private members' bills in 2006-07 and announced that he would introduce the version of the Sustainable Communities Bill which had been published by David Cameron, leader of the Conservatives, in November 2006. The Bill appeared in the Conservative pamphlet *The Permissive State: how to achieve local social responsibility*. However, as with earlier versions of the Bill, there is cross-party support for its principles. In 2005-06 EDM 641 supporting earlier versions of the Bill attracted 363 signatures. Local Works co-ordinated a series of local meetings to promote the idea of policies to sustain local communities.

The local government white paper *Strong and Prosperous Communities* was published in October 2006. It sets out a series of proposals "to give local citizens and communities a greater say over their lives". The Government's *Local Government and Public Involvement in Health Bill*, published in December 2006, was designed to implement some of these proposals, such as Local Area Agreements and Community Calls for Action. For further details see Library Research Papers 07/01 and 07/30. The Government's position is that their bill contains proposals which will help to create greater local autonomy. Local Works have argued that while the proposals in the white paper are welcome, the approach of the *Sustainable Communities Bill* offers a more radical approach, which would empower local residents.

Initially, it appeared that the Government would not support the *Sustainable Communities Bill*. However, as the Public Bill Committee stage progressed, a series of compromises emerged which has meant that most clauses in the Bill have been rewritten. Further amendments from the Government are expected at Report stage. The Bill is now intended to apply to English local authority areas only.

The Bill contains provisions to ensure the drawing up of action plans to promote the sustainability of local communities which are informed by grass roots representations. There are also provisions for the Secretary of State to produce local spending reports for local authorities to recommend changes. The local spending report would cover all public expenditure in each local authority area. This would enable local communities to understand the sums of money being spent in their area and to suggest changes in priorities.

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I Introduction

This Private Members' Bill was introduced with cross party support from a number of backbenchers. The Library Research Paper 07/06 on the *Sustainable Communities Bill* gives background on the provisions. The Bill has been drafted with the help of Local Works, a pressure group which campaigns to promote the involvement of local people in decisions about their local areas and to preserve local amenities and services. The Bill would require the Secretary of State to draw up an action plan to promote the sustainability of communities, and to provide more transparency about government spending in localities. Local authorities are enabled to produce a local spending plan, following participation from local residents.

The Bill is supported by the Conservatives, who published a version in their pamphlet *The Permissive State: How to achieve local social responsibility* in November 2006. The Bill is closely related to earlier versions introduced by Liberal Democrat Members, such as Bill 187 of 2005-06 session, which was sponsored by Julia Goldsworthy.¹ The Government have introduced the *Local Government and Public Involvement in Health Bill*, which has passed its Commons stages and is awaiting second reading in the Lords.² Briefly, the Government have argued that the policy intention behind the *Sustainable Communities Bill* is met by the *Local Government and Public Involvement in Health Bill*. However the Minister did not oppose the general principles of the *Sustainable Communities Bill* during the debate in Committee. See below for more detail in Part II, B.

II Second reading

The Bill's sponsor, Nick Hurd set out the reasons for introducing the Bill in his speech on Second Reading on 19 January 2007:

Let me return to why the Bill is essential. Its premise is that there is no coherent strategy at present, and that one is required. There have been plenty of initiatives, as I said earlier, but the whole approach has been undermined by a key failing, which has been identified by Professor Anne Hill of the London School of Economics in a document published by the Government's own Sustainable Development Commission. She wrote of the Deputy Prime Minister's sustainable communities five-year plan

"It is essentially a top down programme which does little to encourage community involvement or ownership of the proposals... and does not propose tools for delivery to ensure long term community viability and environmental protection".

The Bill is required because existing laws and mechanisms are not adequate.

It is not clear that either the *Local Government and Public Involvement in Health Bill*, which we will debate on Monday, or the Lyons review will give the issue of community decline enough prominence. The Lyons report will focus primarily on the financing of local government, while the Bill is essentially about its

¹ This Bill made no progress in this session

² For further information see Library Research Paper 07/30 *the Local Government and Public Involvement in Health Bill Committee Stage Report*

governance—although, as the Minister will undoubtedly tell us, bits of it take us further down the path of devolving power and improving local accountability. My Bill does not contradict Government legislation; it complements the Local Government and Public Involvement in Health Bill by giving prominence to the issue of sustainable communities. It will give real teeth to local area agreements, and will push the Government further in the direction of devolution in which they need to travel in order to make a real difference.³

The Government set out its position during the second reading of the Bill. The Local Government Minister, Phil Woolas, said:

The Government have been accused of not taking the Sustainable Communities Bill seriously and opposing it because it is not a Government measure. The hon. Member for Ruislip-Northwood described it as a “not-invented-here” opposition. In so far as we oppose the measure, we do not object to its policy intent. Indeed, we strongly believe that the concept of a sustainable community is our invention, especially that of the Deputy Prime Minister, who has made it reality through the policies that we have pursued and the regeneration of many of our towns, cities and other areas.⁴

He went on to say that the Government preferred the policies set out in the *Local Government and Public Involvement in Health Bill*, awaiting report stage in the Lords:

It is important that the Bill is debated, but we have some serious concerns about it. Our advisers have expressed concerns about its drafting, as its authors would expect me to say because they are open about its deficiencies in that respect. We are also concerned about the chosen methods.⁵

Members from all the major parties in the House spoke in support of the Bill, which was given a Second Reading by 175 votes to 17.⁶ The Minister, Phil Woolas, and his Parliamentary Private Secretary, Lyn Brown, were among the 17 who voted against the Bill.

III The Committee stage

A. Commentary

The Public Bill Committee consisted of 16 Members—five were Conservatives, nine were Labour and two Liberal Democrats. The full membership was as follows:

Benyon, Mr. Richard (*Newbury*) (Con)
Brown, Lyn (*West Ham*) (Lab)
Carswell, Mr. Douglas (*Harwich*) (Con)
Corbyn, Jeremy (*Islington, North*) (Lab)
Cousins, Jim (*Newcastle upon Tyne, Central*) (Lab)

³ HC Deb 19 January 2007 c1043-44

⁴ HC Deb 19 January 2007 c1094

⁵ HC Deb 19 January 2007 c1097

⁶ HC Deb 19 January 2007 c1104

Dobson, Frank (*Holborn and St. Pancras*) (Lab)
 Drew, Mr. David (*Stroud*) (Lab/Co-op)
 Efford, Clive (*Eltham*) (Lab)
 Goldsworthy, Julia (*Falmouth and Camborne*) (LD)
 Griffith, Nia (*Llanelli*) (Lab)
 Hollobone, Mr. Philip (*Kettering*) (Con)
 Hoyle, Mr. Lindsay (*Chorley*) (Lab)
 Hurd, Mr. Nick (*Ruislip-Northwood*) (Con)
 Letwin, Mr. Oliver (*West Dorset*) (Con)
 Rogerson, Mr. Dan (*North Cornwall*) (LD)
 Woolas, Mr. Phil (*Minister for Local Government* Lab)

Five of these Members had sponsored the Bill (Hurd, Benyon, Carswell, Drew, and Goldsworthy). This membership reflects the conventions for selecting committee members for Private Members' Bills. The Bill sponsor has a major role in selecting committee members, and the committee does not reflect the party balance within the Commons. In these circumstances a Minister may not be able to ensure that the preferences of the Government are upheld at Public Bill Committee stage. The Minister will need to negotiate carefully to ensure a draft acceptable to the Government.

The role of the Committee chairman is to order proceedings and to be impartial. Unusually there were three different chairmen, appointed from the Speaker's Panel, due to the various adjournments of sittings. These were Edward O'Hara, John Bercow and John Cummings.

As the Bill was sponsored by a Private Member, the Committee was not subject to a programme motion from the Programming Sub-Committee and so did not receive oral evidence or written evidence. It is the programme motion which normally sets out the time allowed for oral evidence under the Public Bill Committee procedure introduced this session. The intention behind the new system of Public Bill Committees was to ensure that evidence was taken on Government Bills only.⁷

B. The Government position on the Bill

Although the Minister opposed the Bill on second reading, Mr Woolas engaged with the debate during committee, while arguing that the Government's policies were already designed to secure sustainable communities.

One of the major themes of the local government white paper published in October 2006, *Strong and prosperous communities*,⁸ was the empowerment of citizens and communities. In part, this involved reshaping local services around citizens and communities. The paper stated that too many people feel they have little or no influence

⁷ For general background, see *Public Bill Committees* at <http://www.parliament.uk/documents/upload/PublicREV.pdf>. Standing Order 62(3)(b) allows a Private Member to put down a motion immediately after second reading to give the Public Bill Committee power to take oral and/or written evidence. In practice, any motion is very unlikely to be successful and a Member sponsoring a Private Member's Bill will want to press on with proceedings, given the limited time available.

⁸ Cm 6939, <http://www.communities.gov.uk/index.asp?id=1503999>

over the public bodies which make decisions affecting their everyday lives, and quoted survey statistics in support. The Government proposed to build on existing provisions for local consultation by requiring Best Value (BV) authorities (except police authorities) to take steps to secure the participation of citizens in their activities. Particular emphasis was to be placed on engaging hard to reach groups such as disabled persons. A range of different approaches would include:

- Informing citizens on how to access services and how those services are performing;
- Consulting on the shape of local services and policies;
- Involving citizens directly in designing, delivering or assessing a service;⁹

One piece of statutory guidance was promised which would place citizens and users “at the heart” of service commissioning. The Government undertook to work with local authorities in testing practical methods of user involvement. It would also encourage local authorities to obtain more systematic intelligence on local people’s needs, and to work with the Audit Commission on ensuring that the new audit arrangements take full account of citizens’ views. Existing requirements for authorities to conduct BV reviews and to prepare BV performance plans were to be removed as part of the Government’s reform and simplification of the performance framework.

Clause 106 of the *Local Government and Public Involvement in Health Bill 2006-07*, which subsequently became **clause 108** of the Bill as amended in Committee and clause 139 of the Bill as introduced in the House of Lords, seeks to implement these commitments on securing local participation. It inserts a new section 3A into the *Local Government Act 1999* which places a specific duty on best value authorities to involve representatives of local persons in the exercise of that authority’s functions where it considers it appropriate. The three aspects of participation - informing, consulting and involving – are spelt out in subsection 1. Subsection 3 exempts police authorities and Welsh BV authorities from the duty and enables the Secretary of State to specify further exemptions by secondary legislation. Subsection 5 provides that an authority must have regard to any guidance issued by the Secretary of State.¹⁰ Subsection 6 clarifies some of the terms used. The explanatory notes to the Bill state that:

Under new section 3A, a best value authority might decide to involve representatives of individual citizens, local residents or service users, community groups, voluntary sector organisations or businesses (amongst others) in the exercise of its functions.¹¹

The Parliamentary Under-Secretary of State at the Department for Communities and Local Government, Angela E. Smith, said at the *Local Government and Public Involvement in Health Bill’s* committee stage that the clause was a “...key plank in the Government’s commitment to ensuring greater engagement and empowerment of local

⁹ Ibid para 2.19. This discussion in paras 2.14 to 2.21

¹⁰ A brief note for members of the Public Bill Committee on the likely shape of such statutory guidance was published on the DCLG website. See *Statements of Intent: Statutory guidance – place shaping*, pp 12, <http://www.communities.gov.uk/index.asp?id=1508243>

¹¹ *Local Government and Public Involvement in Health Bill: Explanatory Notes*, pp43-44, clause 106, http://www.publications.parliament.uk/pa/cm200607/cmbills/016/en/index_016.htm

communities.” It would be for the authorities themselves to decide on the most appropriate means of seeking involvement but they must have regard to government guidance. She added that risk assessment, audit and inspection would place greater emphasis on outcomes for citizens, and that councils which were found to be failing in their duty to secure local participation might find themselves subject to closer inspection.¹²

Phil Woolas referred to clause 108 in the context of discussion in committee of clause 3 of the present Bill.¹³ Nick Hurd considered that clause 108 set down “minimum standards” for local involvement and that this was not sufficient where local authorities were exercising their right to participate in the formulation of a community action plan. He said:

We do not want this to be an exercise involving one public meeting in a town hall or a set of questionnaires sent out. We really want to send out the message that this is a genuine process of local engagement. In that context, clause 108 is not enough.¹⁴

Phil Woolas responded:

...the Government’s proposal for clause 108 is that we should provide guidance for local councils and their partners as to how they should implement it. Our position has always been that we would not prescribe in statute the “how” of consultation; we would simply prescribe the duty to involve, inform and consult.

He undertook to consider how the processes set out in the two Bills could be “meshed together” in order to avoid “...over-burdensome bureaucracies and over-costly procedures.”¹⁵

C. The progress of the Bill in Committee

When the Bill began its committee stage, the Government tabled amendments which would have removed most of the first three clauses and which were resisted by Nick Hurd and the Sustainable Communities campaign groups.¹⁶ The first few sittings of the Committee were marked by frequent adjournments as the promoters of the Bill negotiated with the Minister in a series of private meetings.

During the third day of the bill’s scrutiny in the Public Bill Committee, the Bill’s sponsor, Nick Hurd said:

¹² Public Bill Committee Deb, 27 February 2007, c396,
<http://www.publications.parliament.uk/pa/cm/cmpblocalgov.htm>

¹³ PBC 9 May 2007 cc80-1

¹⁴ PBC 9 May 2007 c104

¹⁵ PBC 9 May 2007 c106

¹⁶ These were amendments tabled as at 28 February 2007 and can be found at
<http://www.publications.parliament.uk/pa/cm200607/cmbills/017/amend/70228m01.htm>

After a disappointing start, the Government are seriously engaged in negotiations on the Bill. The Minister is on record as saying yesterday in questions that he and his colleagues are working to make the Bill better and more workable. Negotiations are ongoing and are being conducted constructively.

On Monday night, we had a rally in Central hall, attended by 1,000 people, in support of the Bill, and the Minister spoke constructively about his desire not to block the Bill and to engage constructively with it. Negotiations are ongoing but have not yet reached a stage at which substantive agreement has been reached and which would justify our moving forward in debates today.¹⁷

The Public Bill Committee stage was resumed briefly on 18 April 2007, when Nick Hurd announced a further adjournment:

The reason for adjourning the debate is that negotiations with the Government are ongoing; they are being conducted in an increasingly constructive manner, and we are confident that next week we will be able to engage with the Government.¹⁸

The Committee met again on 25 April, when the committee agreed a motion which required Clause 4 to be dealt with immediately after Clause 1. The Minister, Phil Woolas, said:

Let me reassure the Committee of the Government's intention to move forward on this. We will support an amended Bill; we have collective agreement to that policy. However, I should give notice that, having sought the advice of parliamentary counsel in light of policy instructions on the matter, we will need to take heed of that advice.¹⁹

Thereafter, the Committee met each Wednesday with both morning and afternoon sittings until the afternoon of Wednesday 23 May when the Bill was reported. The exceptions were 2 and 16 May where only one sitting was held per day. A new motion was agreed to on 2 May as follows:

That remaining proceedings on the Bill be taken in the following order: Clauses 4 to 8; Clauses 2 and 3; Clauses 9 to 13; the Schedule; new Clauses; new Schedules; remaining proceedings on the Bill.²⁰

D. Amendments to the Bill

The Bill was amended significantly during its passage. The new version of the Bill was ordered to be printed on 23 May²¹ and the text is reproduced in Part IV of this Paper. Briefly, there were new provisions with respect to the action plan, and local spending reports and the Bill was restricted to England only. The Minister, Phil Woolas, has indicated plans to bring forward further amendments on Report. These are detailed in Part III, D of this Paper.

¹⁷ PBC Deb 28 March 2007 c32

¹⁸ PBC Deb 18 April 2007 c36

¹⁹ PBC Deb 25 April 2007 c

²⁰ PBC Deb 2 May 2 May c45

²¹ http://www.publications.parliament.uk/pa/pabills/200607/sustainable_communities.htm

1. Definition of sustainability

Clause 1 defines the term sustainability. It was amended and then agreed to at the fifth sitting of the Committee on 25 April 2007. The Labour and Co-operative Party Member, David Drew, moved amendments to align the definition of sustainable more closely to section 4(1) of the *Local Government Act 2000*, which requires local authorities to prepare a strategy for promoting or improving the economic, social and environmental well-being of their area (c40). The amendment received support from Conservative and Liberal Democrat Members, as well as the Minister. Some further technical and drafting amendments were made to Clause 1 at this sitting. **This remains as clause 1 in the Bill as amended after committee.**

2. Local spending reports

The original clause 4 referred to local communities allocation and clause 5 to local spending plans. Clause 4 was debated at the sixth sitting and originally required the Secretary of State to provide a local authority on request with a local communities allocation, breaking down expenditure by Government department. However, the Minister introduced a new clause 1 (NC 1) which replaced the original drafting of clause 4. This referred to local spending reports. Clause 4 was disagreed to at the sixth sitting.²²

The Minister set out Government support for the principle of the clause:

Mr. Woolas: I want to outline how we see the local spending reports working and their purpose. The new clause goes further than the Bill's original wording and is more satisfactory to all concerned. I shall explain why. The local spending report would cover all public expenditure in each local authority area in so far as it is possible to define it. It could cover both current and future spending. The decision about how regularly the report should be produced—whether yearly or three-yearly in line with current spending review periods, or less often—is not defined, but its purpose is to inform decisions. I imagine that producing a report yearly may be the most convenient way forward, even if the decisions about the allocation of the spending are made over a longer period

A central part of the Government's policy towards local government financing, for which there is strong support across the councils, as represented by the Local Government Association, is that multi-year settlements—three-year settlements—are very desirable, bringing predictability of finances and therefore better decision making, and scope for efficiencies. I envisage local spending reports being produced to inform those three-year spending periods. Local area agreements cover three-year periods, with the next round running from 2008 to 2011, but that does not necessarily tie the local spending reports to three years, and it may be that one would want to produce figures annually for each of the agencies and authorities mentioned.²³

The Minister pointed out that the new clause would contain a duty to consult interested parties and authorities. Following further debate, Mr Woolas said that he would be

²² PBC Deb 2 May 2007 c62

²³ PBC Deb 2 May 2007 c45

prepared to look at the wording of subsection 1 of the Government new clause, replacing the term 'may' with 'shall' in respect of the production of a report by the Secretary of State.²⁴ Later in that sitting he confirmed that this amendment would be made during the Committee stage.²⁵ He expanded on the purpose of the new clause as follows:

The aim of the task would be to quantify expenditure that can be easily identified as relating to a particular area and to understand the amount of money for which local partners and communities are responsible. As well as providing information for transparency and accountability, the purpose will be to help local authorities, their partner agencies and their residents better to plan expenditure by enabling them to identify what money they have to help them to meet their local objectives. The proposal will give local authorities and their partners substantially more power than would the Bill. I hope that it is seen in that helpful context.

The Bill distinguishes between national and local money, which would give local authorities alone the right to reallocate to local matters funding that had already been allocated by Departments or agencies. As I said, that would have been unworkable and would have created conflicts, whereas the statutory duty to co-operate in the local government Bill is designed to improve partnership working. Under that Bill, the scope of the new local area agreement is vastly enlarged. We will introduce a duty on named partners to co-operate in setting the local area agreement targets. That process will be debated during consideration of clause 5 of this Bill. We will also introduce a duty to involve local people in the preparation of community strategies, or sustainable community strategies as they will be renamed and reshaped when this Bill reaches the statute book.²⁶

Nick Hurd indicated that he would accept the Government new clause:

Mr. Hurd: I add my voice to those who congratulated the Minister on setting a constructive tone in the debate. The Minister will be aware that there was some disappointment with Government new clause 1 when it was tabled, but he has prevented a lot of criticism with his tone.

The Minister is well aware of the importance of clause 4. The Bill is about giving people real influence over how their communities are developed. As we discussed in the debate on the Floor of the House, in this day and age, power equals money—the Bill is about giving people real influence over how money is spent in their area. The vision is that a great spotlight will be thrown on to all the nooks, crannies and corners of public expenditure so that the communities that we represent can for the first time get a clear picture of how much taxpayers' money is being spent in their area, and what it is being spent on.

In this day and age, it is extraordinary how difficult it is to access that money—we do not know the scale of it, but it feels enormous. We used the example of Kent because it is one of a very few counties that has been able to access meaningful data. In round numbers, there is approximately £8 billion of taxpayers' money swilling around Kent, of which £2.5 billion is visible and accountable under direct local government control. We do not know about the rest. However, the county council has done some analysis that provides a powerful picture of how money is directed in a local way. The vision of this Bill is that every community should have access to such information. It is potentially an enormously powerful tool.

²⁴ PBC Deb 2 May 2007 c49

²⁵ PBC Deb 2 May 2007 c53-54

²⁶ PBC Deb 2 May 2007 c51

As the Minister knows, with transparency comes greater accountability, and with accountability, as has been touched on by various contributors to the debate, we can reasonably expect greater efficiency. There will be great pressure on the system to be more efficient and to account for every penny that is spent. One aspect of the decline in the sustainability of communities is that people withdraw from the process because they feel that they have no influence. They think, "If we have no say, what is the point of getting involved?" The hope of the Bill's sponsors is that once we can show them the money and give them the sense that they can influence how it is spent, we will trigger a new sense of civic participation and engagement.²⁷

On the morning sitting of 23 May, Mr. Hurd introduced new clause 3, which was intended to replace clause 5. He described the purpose of Clause 5 as follows:

The proposition of old clause 5 is straightforward. It has a clear link with the original clause 4, which has been accepted in principle by the Committee and will trigger something quite radical in terms of our ability to account for public expenditure in this country. The proposition of that clause, too, is straightforward. It sets us on a journey towards a destination whereby every one of our constituents will be able to trace almost every pound of public expenditure in the local authority area in which they live. It will throw a spotlight into the dark corners of public expenditure in a way that will have a considerable impact across the country and across communities, as people finally get to see exactly what the Government are spending on their behalf.

However, information by itself is not enough. If we are to let the genie out of the bottle, we need to give people some opportunity to influence how that money is spent. We need to give them power, and some sense that they have influence and can change things. That is the core of the proposition behind clause 5.

Mr Hurd went on to explain:

The original proposition was that the Government would publish the information and that local authorities would have the right to go back to the Secretary of State with alternative recommendations for how the money should be spent. It is clear from the drafting of old clause 5 that the Bill's sponsors had intended to place some presumption on the Secretary of State that he or she would accept the local recommendations unless there were good reasons not to.

It was clear from the start of negotiations with the Government that there were reservations about that. There were predictable concerns about boxing in Secretaries of State, but also legitimate ones that the original drafting had underestimated some key elements that might call into question the workability of the original proposals, particularly in relation to statutory requirements on agencies. It was felt that it was not enough simply to reallocate money, but that one had to consider the statutory responsibilities of the agencies required.

We took those concerns on board, and they are reflected in new clause 3. That clearly sets out the path without undermining the principles of the old clause 5. Subsection (1) (b) of the new clause makes it clear, to some extent, that recommendations from councils to the Secretary of State must take into account and take a view on "any consequential delegation of functions to the council."

²⁷ PBC Deb 2 May 2007 c57-58

Subsection (2) makes it clear that, when making recommendations, councils must demonstrate that they have engaged with the local community and that there is, in effect, a popular mandate for those recommendations. It refers specifically to the mechanism of citizens panels, which we explored when debating the amendments to clause 3.²⁸

Mr. Hurd was concerned about the Government position on clause 5:

We have taken an extremely constructive approach in tabling the new clause and the subsequent amendments to respond to the concerns that have been articulated. Our problem is that we are operating in a vacuum because the Government have failed to table a single word of amendment to clause 5, which is the meat of the Bill. That concerns us because this clause is a test of the Government's commitment to the Bill and to devolving genuine influence and power to communities.²⁹

In response, Mr Woolas contended that the new clause 3 did not generate a culture where decisions were taken locally:

Mr. Woolas: That is right. So this debate is not about extra resources, but the distribution of existing resources. The right hon. Gentleman says that the decision about such distribution should be taken locally. On the whole, that is a proposition that is shared by the whole Committee. That is the purpose of local area agreements, the purpose of the Local Government and Involvement in Public Health Bill, and the purpose of my party's manifesto, in the section that committed the party of Government to supporting that proposition.

The problem that I have is that, at the moment, new clause 3 does exactly the opposite, because it would put in law that the Secretary of State should determine the distribution of resources. If one is genuine about building localism, one has to create a culture, by the financial agreements and statutory arrangements that encourages partnership...³⁰

The Minister commented on the failure to put forward Government amendments to clause 5, noting the need to undertake consultations across Government.³¹ He said that he did not have clearance at that point to agree to new clause 3 but that he intended to table amendments on Report.³² At Report stage the Minister would be more likely to obtain a Government majority for any amendments, since this stage takes place on the floor of the House.

At the eleventh and final sitting on the afternoon of 23 May 2007, Mr Woolas clarified his intentions as follows:

I put it on the record for the sake of clarity that I propose to table an amendment on Report that I believe will cover the intent of clause 5 and new clause 3. My proposal is that if authorities consider that the function or functions of one body

²⁸ PBC Deb 23 May 2007 c126

²⁹ PBC Deb 23 May 2007 c127

³⁰ PBC Deb 23 May 2007 c136

³¹ PBC Deb 23 May 2007 c139

³² PBC Deb 23 May 2007 c142

should be exercised by another, they should be able to make representations to that effect under new clauses 5 and 6. However, we think that, wherever possible, local authorities should seek to use their powers under the Local Government Acts of 1972 and 2000. We believe in a consensual and devolutionary approach to these issues.

There is agreement that the original clause 5 should not stand part of the Bill. I expect that the hon. Gentleman will wish his new clause 3 to be included in it. Although I cannot support the detail, I have no problem with the principle, as I said. Therefore, I do not intend to oppose new clause 3.³³

Mr Hurd expressed satisfaction with the outcome, playing tribute to the work of the Parliamentary Private Secretary to Mr Woolas, Lyn Brown:

Mr. Nick Hurd (Ruislip-Northwood) (Con): On behalf of the Committee, I join the Minister in recording our gratitude to the hon. Member for West Ham for the role that she has played. During these proceedings she is condemned to sit in silence, which I do not believe to be her natural state... We are genuinely grateful for the work that she has done through the usual channels to get us to where we are.

I am also extremely grateful to the Minister for having placed on the record a coherent and reassuring confirmation that he does not oppose new clause 3 and is prepared to come back with a suitable amendment to iron out some of its imperfections.³⁴

The original clause 5 was then disagreed to by the Committee.³⁵ Clauses 6-8 were also disagreed to, since they were dependent on clause 5 and dealt with the implementation of local spending reports.

Also at the last sitting on the afternoon of 23 May Mr Woolas moved new clause 1, which substituted a new version of clause 4 in the original bill. This provided an opportunity for other committee members to formally move amendments which had been previously referred to on 2 May 2007. He indicated that he would accept the term 'must' for 'may' with relation to the duty of the Secretary of State to produce local spending reports in clause 4(1). However, he was not prepared to accept similar amendments for other subsections of this clause.³⁶ Nor did he wish to accept a specified list of authorities to be consulted.³⁷ These amendments were not made. **New clause 1 appears as clause 4 in the Bill as amended in committee.**

Mr Hurd moved that new clause 3 be formally added to the Bill on the afternoon of 23 May. This clause places a requirement on local authorities to consult local panels on plans for local spending plans and submit recommendations to the Secretary of State.³⁸ **New clause 3 appears as clause 5 in the Bill as amended in committee.**

³³ PBC Deb 23 May 2007 c146

³⁴ PBC Deb 23 May 2007 c149

³⁵ PBC Deb 23 May 2007 c149

³⁶ PBC Deb 23 May 2007 c174

³⁷ PBC Deb 23 May 2007 c174

³⁸ PBC Deb 23 May 2007 c176

3. Action plans

Following the order of business decided on 2 May, the Committee next turned to clause 2. covering action plans. At the seventh sitting on 9 May, Nick Hurd introduced a new clause 2, adjusting the original drafting of clause 2. This clause had required the Secretary of State to publish an action plan illustrating how he would promote sustainable communities. Mr. Hurd noted that the Government had not found the original drafting acceptable:

The Government signalled quickly in both the debate and subsequent negotiations that their problems with the Bill centred around their concerns about the workability of the process that we had set out and the freedom of manoeuvre for a Secretary of State trying to implement national policy, as well as managing the process of devolution. Those reservations were expressed, although it was extremely disappointing for most members of the Committee that, when it came to showing their hand, the Government's first set of amendments were clearly wrecking in nature.

The Minister for Local Government (Mr. Phil Woolas): Brutal.

Mr. Hurd: I am not one to disagree with the Minister. It was a disappointing start but, in tabling new clause 2, we have tried to be constructive and respond to those concerns. New clause 2 is softer in terms of timetable, but firm in the requirement on the Secretary of State to get the ball rolling on the consultation process some six months after the Bill is passed. It introduces the concept of the Local Government Association operating as a conduit or a filter to help the Secretary of State and her Department to consolidate and prioritise some of the recommendations coming from the local authorities that are prepared to participate in the process. The new clause imposes on the Secretary of State a duty to co-operate with the LGA. We feel that that requirement strikes the right balance and follows the grain of initiatives and language in the chain of devolution that is gradually being stitched together by the Government in their own legislation.³⁹

Members of the Committee referred to discussions within the Department of Communities and Local Government on the feasibility of requiring the Secretary of State to co-operate with the Local Government Association in drawing up an action plan.⁴⁰

In response, the Minister commented:

The argument made by the right hon. Member for West Dorset, who said that I do not wish to see the LGA in the legislation, is not correct. However, we cannot legislate to instruct a voluntary body, which is why my preference, as outlined in new clause 4, would be to ensure that the LGA is "the selector". That would ensure that it has the enhanced credibility that it might need in the years ahead as it does its work, and we can do that using the regulation under the new clause.⁴¹

³⁹ PBC Deb 9 May 2007 c67-68

⁴⁰ PBC Deb 9 May 2007 c72

⁴¹ PBC Deb 9 May 2007 c76

However, Mr Woolas indicated that he intended to ensure that regulations made under new clause 4 would involve co-operation with the LGA.⁴² He also referred to clauses 82 and 108 of the *Local Government and Public Involvement in Health Bill* which places duties on named authorities in setting goals for the local area agreement on the spending of public money in the area. In response, Oliver Letwin pressed for a tighter definition of the person who would be the selector.⁴³ Mr Woolas noted that new clause 2 was acceptable to the Government:

New clause 2 is in line with Government policy. It gives the Secretary of State a duty to establish a transparent and accountable mechanism, which I have said is desirable. The Secretary of State would be required to consider proposals from principal councils selected by the LGA, but not to implement all of them. That is an important change, and I am grateful to the hon. Member for Ruislip-Northwood for it.⁴⁴

Mr Woolas was subjected to further questioning in relation to whether the Bill should contain a duty for the Secretary of State to consult.⁴⁵ The original Clause 2 was disagreed to during the eighth sitting.⁴⁶

At the last sitting on 23 May 2007 new clause 7 was successfully added to the Bill by Mr Hurd to replace clause 2.⁴⁷ This clause was described by Mr Hurd as a “slimline and less prescriptive version of our earlier new clause 2”.⁴⁸ The Minister had tabled alternative new clauses to replace clause 2 (NC 4 and 5), but having set out the reasons for the Government approach agreed that he would not move NC 5 and 6 at that point in Committee. The Minister lacked a majority to ensure that his amendments were preferred over those of the Bill’s sponsors. The position was set out in the following exchange:

Mr. Drew: Just so that I am absolutely clear—if everybody else is, I apologise if I have been dozing on the Back Benches—we seem to be unanimous in wanting to get rid of existing clause 2. We seem to have some agreement that there is a middle way between the Government’s new clauses 5 and 6, and new clause 7. My only problem is that there has to be something in the Bill about action planning. When we discuss it on Report there may be some who— notwithstanding their willingness to go all the way through *Hansard* to look at the pearls of wisdom that have come from the Minister—are surprised that the basis of the Bill is not as clear as it might be.

I would welcome the Minister’s clarification as to what he would accept, going forward to Report, even though we know that we will improve the Bill on Report.

Mr. Woolas: I have indicated that I am content not to move the motion on new clause 5. The hon. Member for Ruislip-Northwood has tabled new clause 7, so it is up to him to decide what to do with that. My plea to the Committee is that we should have, if not a comprehensive package, then a coherent one to put to the

⁴² PBC Deb 9 May 2007 c77

⁴³ PBC Deb 9 May 2007 c80

⁴⁴ PBC Deb 9 May 2007 c83

⁴⁵ PBC Deb 9 May 2007 c90-91

⁴⁶ PBC Deb 9 May 2007 c93

⁴⁷ PBC Deb 23 May 2007 c178

⁴⁸ PBC Deb 23 May 2007 c157

House. I hope that I have made it clear that I do not believe that any points of principle are causing a problem. I have explained at some length—some would say at too great a length—the technical problems that we have with new clause 7.⁴⁹

Mr Hurd responded by stating that he would have an open mind with regard to Government amendments to new clause 7 at Report stage.⁵⁰

The Minister also indicated that he would not move Government new clause 6, which was dependent on new clause 5. New clause 6 had been a replacement for the original clause 3 of the Bill. He explained at length the reasons why the Government were not wholly satisfied with the approach of new clause 7. The main points at issue were the terms of the co-operation between the selector (the Local Government Association) and the Department and the inclusion of the term 'national action plan'.⁵¹

New clause 7 has now become clause 2 of the Bill as amended in committee.

4. Consultations by principal councils

Clause 3 of the original Bill dealt with consultations by local authorities. David Drew introduced amendments to this clause which were designed to ensure that the consultations by local authorities reached out to groups not normally part of the consultation process, such as young people and people with disabilities. He said:

I think that we are clear that we are trying to run this private Member's Bill in parallel with the Local Government and Public Involvement in Health Bill, which is still passing through the House. It was good to get an explanation of where the provision fits in regard to clause 108 of that Bill. Although we see the two Bills as complementary, we want to give this Bill real teeth. There are elements of clause 108 that we would like to strengthen. The clause is still discretionary and, given our previous discussions on the duty to co-operate, we understand that it is something that will, rather than might, happen.

There are specific reasons why we are outlining the groups to be included in the Bill. We consider that they are appropriate to be engaged with, although it is not an exclusive list. Members of the Committee will also have received a paper from the National Council for Voluntary Organisations, which wants to make sure that the panels include

"representatives of such persons or bodies as the council considers appropriate being persons or bodies of any nature who exercise functions or are engaged in activities in relation to the sustainability of local communities in the council's area".

The NCVO wants a two-way process of co-operation. The voluntary sector wishes that form of words to appear in the clause to make it clear that a two-way process will take place and to strengthen the provision.⁵²

Mr Woolas set out the Government position as follows:

⁴⁹ PBC Deb 23 May 2007 c168

⁵⁰ PBC Deb 23 May 2007 c169

⁵¹ PBC Deb 23 May 2007 c162-167

⁵² PBC Deb 9 May 2007 c95

I should like briefly to set out the Government's attitude towards this matter. I am grateful for the comments that have been made about what is now clause 108 of the Local Government and Public Involvement in Health Bill. The Local Works campaign sheet praises clause 108 and specifically says:

"That is NOT to criticize clause 108".

It regards clause 108 as a minimum and wants to strengthen it. As one of the people who brought about that clause, I welcome that attempt to strengthen and clarify it.

We debated clause 108 in Committee at some length with the hon. Member for North-East Bedfordshire (Alistair Burt), the Opposition spokesperson. We were concerned not to put an over-burdensome duty on local authorities to consult the public on managerial decisions. The example discussed in the Committee was the purchase of photocopiers. Although it is desirable that photocopiers should be purchased with sensitivity in respect of environmental policies and should perhaps help local companies, it is not something about which councils should be expected to consult all the relevant bodies. I think that I described it as a common-sense clause in a common-sense Bill.⁵³

He went on to say:

The Government's intention is, if and when we receive Royal Assent to the local government Bill, to draft for consultation the guidelines to make clause 108 real. That has been the subject of much consultation and discussion with the third sector. Informal discussions have already begun with the LGA about what shape that should take. My undertaking to the Committee, therefore, is to consider the clause, as amended by the hon. Members for Ruislip-Northwood and for Falmouth and Camborne and my hon. Friend the Member for Stroud, to see how I can mesh those processes together.⁵⁴

In response, Oliver Letwin indicated that a shift of culture was necessary to ensure that local people felt that they could 'own' the consultation process. This point was also made by Nick Hurd:

I warn the Minister that I am concerned about some of his language in connection with this and other Bills. I am concerned that he is leading me to believe that he thinks of the Bill as an extension of current Government proposals, albeit one that strengthens them in certain areas, and as fitting into a stream of work and objectives that are under way. It is my perception—I sense that it is shared in the Committee—that although the processes of local area agreements and community strategies are well meaning, logical and rational, they do not engage communities in the way intended in the Bill. The Government need to think carefully about that disconnect.⁵⁵

At the short ninth sitting on 16 May, Nick Hurd moved that the debate be adjourned, as Government amendments to clause 3 had not yet been tabled.⁵⁶ At the beginning of the tenth sitting on 23 May Mr Hurd announced that he would seek a vote on the amendments to clause 3, to ensure that amendments were made to clause 3 which

⁵³ PBC Deb 9 May 2007 c105

⁵⁴ PBC Deb 9 May 2007 c106

⁵⁵ PBC Deb 9 May 2007 c114

⁵⁶ PBC Deb 16 May 2007 c118

would reflect the consensus of the Committee.⁵⁷ He felt that the proposed Government amendments were not sufficient. The Minister accepted that it would be desirable to press on in Committee and indicated that the Government might bring forward amendments on Report. The amendments and the amended clause 3 were therefore agreed to.⁵⁸ **The clause appears as clause 3 in the Bill as amended in committee.**

The pressure group Local Works have released a document entitled *Clause 3 endorsements* listing over 30 organisations which supported the principles behind clause 3.⁵⁹

5. Miscellaneous

At the last sitting clauses 11 and 12 were agreed to. These dealt with interpretation and expenditure. Government amendments to exclude Scotland and Northern Ireland from the scope of the Bill were accepted. Wales had already been excluded following the omission of clause 9.⁶⁰ A further Government amendment to delay the time at which the Act would come into force from the date of royal assent to a day appointed by the Secretary of State provoked some comment from Committee members. After debate the Minister said:

Let me reassure him that it is not a date that causes the problem; it is a given period of three months, for example. I would be more than willing to come back with a date; in fact I undertake to do so, should my argument win the day here. My strategy involves the fact that 1 April 2008 is the day when the new regime for local government comes into effect, and he may wish to consider that. My second point, in a long intervention, is that the right hon. Gentleman says that this is a private Member's Bill, which it is, but let me again remind and reassure him that I have Government authority to support the Bill. There are problems with it, with regard to its remit, but I am acting on behalf of Her Majesty's Government, not as a freelancer.⁶¹

In response, Oliver Letwin said that Committee members would be willing to be flexible when the government amendment appeared in time for Report stage. The Minister agreed not to move the amendment on commencement date in Committee.⁶²

E. Ministerial undertakings to consider

The Minister indicated areas where amendments could be expected at Report stage. The references below are to the Bill as reprinted after Committee stage. These were:

- Amendments to clause 5 (local spending reports- rights of principal councils)
- Amendments to clause 2 (action plans)
- Amendments to clause 3 (consultations by principal councils)

⁵⁷ PBC Deb 23 May 2007 c122-23

⁵⁸ PBC Deb 23 May 2007 c124.

⁵⁹ See *Local Works* 3 May 2007 at <http://www.localworks.org/?q=node/34>

⁶⁰ PBC Deb 23 May 2007 c149

⁶¹ PBC Deb 23 May 2007 c154

⁶² PBC Deb 23 May 2007 c154

- Amendment to change date of commencement from royal assent.

The pressure group Local Works has mounted a campaign to ensure that Government amendments on Report are seen as constructive:

During Committee, communities Minister Phil Woolas gave several assurances that the government supported the Bill and also stated to the committee it would not try and block its progress or attempt to 'water it down'. However, there is a danger that unelected officials may try to influence the Minister. So, further pressure from supporters is urgently needed to convince the government to stand firm.⁶³

The pressure group Unlock Democracy (formerly Charter 88) quoted Ron Bailey as follows:

Ron Bailey, Campaigns Director of Unlock Democracy and Organiser of the Local Works Campaign explained:

"It is not often you find a campaign group welcoming the role played by a government Minister but when that Minister gives such specific commitments, this must be recognised and applauded. So we thank Phil Woolas for those clear and explicit assurances he gave in parliament to the mechanisms in the Sustainable Communities Bill that will make this Bill a truly decentralising 'bottom-up' measure.

"We know Mr Woolas came under great pressure from his officials to make the Bill a 'top-down-leave-the-decisions-to-Whitehall' measure so it is particularly heartening to see him discounting this. We now urge him to stand firm and stick to the assurances he gave to the parliamentary Committee considering the Bill, and not let unelected officials change his mind"⁶⁴

The Government bill, the *Local Government and Public Involvement in Health Bill* has passed its Commons stages and is awaiting second reading in the Lords.

IV The Bill as amended in Committee

The new version of the Bill, as amended in committee, is Bill 115 of 2006-07.⁶⁵ The text of the individual sections is as follows:

1 Sustainability of local communities

(1) The principal aim of this Act is to promote the sustainability of local communities.

(2) In this Act "sustainability of local communities" may be promoted by encouraging the improvement of the economic, social or environmental wellbeing of an area.

⁶³ "Bill completes Committee stage" *Local Works* <http://www.localworks.org/?q=node/35>

⁶⁴ See <http://www.unlockdemocracy.org.uk/?p=920> as at 5 June 2007

⁶⁵ The text of the Bill can be read on-line at <http://www.publications.parliament.uk/pa/cm200607/cmbills/115/2007115.pdf>

(3) In this section “social well-being” includes participation in civic and political activity.

(4) It shall be the duty of the Secretary of State to assist principal councils in promoting the sustainability of local communities in the ways specified in this Act.

2 Action plans

(1) The Secretary of State shall, as soon as is practicable, consult all principal councils in accordance with this section—

(a) on the matters set out in the Schedule to this Act, which specifies matters which affect the sustainability of local communities, and (b) on any other matters which in the opinion of the Secretary of State affect the sustainability of local communities.

(2) Before consulting principal councils, the Secretary of State must—

(a) subject to paragraph (b) appoint a person to be his adviser (“the adviser”) for the purposes of this Act.

(b) request the Local Government Association to be the adviser but, if that body declines, appoint such other person or persons who must be persons who represent the interests of principal councils.

(3) The adviser must consider the responses to the consultation pursuant to subsection (1) and draw up a list of proposals contained in those responses which in the adviser’s opinion—

(a) should be given the greatest priority, and

(b) have cross-party support.

(4) The Secretary of State must, subject to subsection (5), cooperate with the adviser in drawing up an action plan to promote the sustainability of local communities which shall—

(a) be based primarily on those proposals that have been identified by the adviser as requiring the greatest priority and having cross-party support; and

(b) include such other recommendations made by principal councils as the Secretary of State thinks fit.

(5) The Secretary of State may determine which proposals are not appropriate to be implemented immediately or at all, on the grounds that—

(a) the direct or indirect costs likely to be involved in their implementation, or

(b) their implementation in whole or in part is likely to conflict, to a significant extent, with a specific government objective.

(6) The Secretary of State shall, no later than 18 months after the commencement of the consultation pursuant to subsection (1), lay the action plan before each House of Parliament for approval by each House.

(7) The Secretary of State must—

(a) implement the action plan and for that purpose shall keep under review the progress made from time to time in the implementation of the action plan; and

(b) consider any opinions of the adviser on progress made.

(8) The Secretary of State shall ensure that every regional office of government cooperates with principal councils and panels established under section 3(2) for the relevant region in the promotion of the sustainability of local communities.

(9) The Secretary of State shall in each Session of Parliament beginning after the enactment of this Act lay an annual report before each House of Parliament containing the action plan, if completed, and detailing the progress made to the date of the report in producing the action plan if not completed, and in implementing the recommendations contained in the action plan in pursuance of subsection (7).

3 Representations by principal councils in connection with the action plan

(1) Before submitting recommendations under section 2(4) a principal council shall give notice of its intention to make recommendations and invite suggestions from residents in its area on measures necessary to promote the sustainability of the local community by—

(a) publishing a notice on at least one occasion in a local newspaper or newspapers circulating throughout the principal council's area,

(b) publishing a notice on its website,

(c) giving notice to every parish or community council within its area and any other bodies which it believes may have a relevant interest in the matters listed in the Schedule, and

(d) taking reasonable steps to obtain the views through panels set up in accordance with subsection (2) of residents, employers and employees in the council's area and in particular of—

(i) young people in the area;

(ii) persons from ethnic minorities;

(iii) tenants in social housing;

(iv) persons living on lower incomes;

(v) persons with disabilities;

(vi) persons living in deprived areas; and

(vii) persons over 60 years of age.

An area is deprived for the purposes of sub-paragraph (vi) if the official male adult unemployment rate exceeds 10 per cent., or if more than 20 per cent. of households have net incomes below £15,000 per year.

(2) For the purposes of this Act, a principal council shall, so far as is practicable, arrange for one or more panels to be established in its area representing persons who live in its area or who work or employ workers in its area and any such panel shall, so far as is practicable include—

(a) representatives of the categories of persons specified in subsection (1) (d) (i) to (vii);

(b) representatives of such persons or bodies as the council considers appropriate being persons or bodies of any nature who exercise functions or are engaged in activities in relation to the sustainability of local communities in the council's area; and

(c) an equal number of male and female members.

For the purposes of this subsection a member of a panel may represent more than one of the categories specified in subsection (1) (d).

(3) A principal council shall have regard, when preparing recommendations under subsection (1) above, to any parish plan published by a parish or community council.

(4) A principal council shall co-operate with any panel set up in its area under subsection (2) in making recommendations under section 2(4).

4 Local spending reports

(1) For the purpose of assisting in promoting the sustainability of local communities, the Secretary of State must make arrangements for the production, by the Secretary of State or another person, of local spending reports.

(2) A local spending report is a report on expenditure by such authorities, in such area, and over such period, as are determined in accordance with the arrangements.

(3) The authorities may be—

(a) a principal council;

(b) a government department;

- (c) any other person exercising public functions.
- (4) The area must be—
 - (a) one or more local authority areas;
 - (b) one or more parts of a local authority area; or
 - (c) any combination of those.
- (5) The period may be or include a future period.
- (6) The expenditure to be included in relation to any authority, area or period is to be determined in accordance with the arrangements.
- (7) A report may relate to different areas or periods for different authorities.
- (8) The Secretary of State may make different arrangements for different reports.
- (9) Before making arrangements under this section, the Secretary of State must consult such persons likely to be affected by the arrangements as the Secretary of State thinks appropriate.
- (10) For the purposes of subsection (9) any consultation undertaken before the commencement of that subsection is as effective as it would have been if undertaken after that commencement.

5 Local spending reports: rights of principal councils and representatives of local persons

- (1) After considering the information contained in a local spending report issued pursuant to section 4, a principal council may, subject to subsection (2), make recommendations to the Secretary of State as to—
 - (a) whether that council could decide how any part of the money specified in that report may be spent; and
 - (b) any consequential delegation of functions to the council.
- (2) A principal council may not make recommendations regarding any money that has been specified in the local spending report as being spent on services of a wider or national significance.
- (3) In subsection (2) “services of a wider or national significance” means services provided wholly or largely for the benefit of persons resident in areas wider than the area of the council.
- (4) Where a principal council proposes to make recommendations pursuant to subsection (1), it must—
 - (a) refer the matter to any panels under section 3 for consideration; or
 - (b) establish such panels if they do not exist and refer the matter to them for consideration.
- (5) A principal council and any panels acting pursuant to this section shall—
 - (a) exercise their functions to promote the sustainability of local communities;
 - (b) have regard to the council's community strategy prepared pursuant to section 4 of the Local Government Act 2000 (c. 22);
 - (c) specify that in their opinion any recommendations are consistent with that community strategy; and
 - (d) give their reasons for that opinion.
- (6) Within three months of receiving recommendations made by a principal council under subsection (1), the Secretary of State shall either adopt or reject each of the recommendations, and in either case shall give reasons for his decision.
- (7) At least once in each calendar year the Secretary of State shall publish a report providing details of all decisions taken pursuant to subsection (6) above.

6 Interpretation

- (1) In this Act—

“local authority” means a district council, metropolitan district council, county borough council or a London borough council;

“planning period” means the period covered by the latest comprehensive spending review;

“poverty” means “living on a lower income” as defined by section 1 of the Warm Homes and Energy Conservation Act 2000 (c. 31);

“principal council” has the meaning as given in section 270 of the Local Government Act 1972 (c. 70);

“region” means a region specified in Schedule 1 of the Regional Development Agencies Act 1998 (c. 45); and

“social exclusion” has the meaning prescribed by the Secretary of State by order made by statutory instrument.

(2) An order made under this section shall be laid before Parliament after being made and is subject to annulment in pursuance of a resolution of either House of Parliament.

7 Expenses

There shall be paid out of money provided by Parliament—

(a) any sums to be paid by the Secretary of State for or in connection with the carrying out of his functions under this Act; and

(b) any increase attributable to this Act in the sums which are payable out of money so provided under any other Act.

8 Short title, commencement and extent

(1) This Act may be cited as the Sustainable Communities Act 2007.

(2) This Act extends to England and Wales only.