

Localism 'Prospectus' – November 2013:

Introduction

The Localism Act 2011 is intended to devolve power from central government to individuals, communities and local councils. It has introduced legislation giving new rights to communities and individuals who want to help shape their communities and run local services.

Tunbridge Wells Borough Council has chosen to adopt an 'enabling' approach towards Localism. This is reflected in our Strategic Compass for 2013/14 which lists as one of our priority projects: *"Encouraging all parts of the community to become more involved in service design and provision by agreeing a framework for the community right to challenge, encouraging more community involvement in neighbourhood planning and the engagement of Parish Councils"*.

The Council is therefore keen to work with town and parish councils, social enterprises and community and voluntary groups who have great ideas on how to improve local services and their local communities. We aim to:

- make it easier for people to protect or take on the running of local amenities that they value and keep them as part of the community
- ensure that social enterprises and community and voluntary groups who believe they can run local services differently and better get an opportunity to bid to do so
- give people more of a say over what happens in their communities

Background

Under the new legislation, we are open to challenge on the majority of services we provide and all appropriate expressions of interest in running these services will be considered. However, the Council is currently committed to various service partnerships and long term contractual commitments that we would not be able to devolve in the short term. For example, we have long-term contracts with external suppliers for waste management and street cleaning, leisure centre management, parks and sports grounds maintenance; and several services such as Licensing, Revenues and Benefits and Legal Services are now delivered in partnership with neighbouring councils. We are currently looking at doing the same for Environmental Services and Planning Support services.

This has enabled us to increase efficiency and reduce costs. Dismantling these arrangements and devolving to a smaller level would prove expensive and time consuming, with no guarantee of improved delivery or lower cost to the Council and tax payer. As existing contracts and partnerships come towards an end, however, we will of course continue to look at how these services can best be provided in the future.

At the same time, Tunbridge Wells Borough Council has already devolved services such as public conveniences to some parishes and many open spaces around the Borough are owned and managed by town and parish councils. We also work in partnership with other local organisations such as Kent High Weald Partnership and Friends Groups to protect, manage and enhance our community woodlands and urban parks.

But we are always looking to do more. We therefore welcome interest from town and parish councils and community organisations particularly in the services set out in the next section. So come and talk to us about how we can work together within our local communities to improve services for residents across the borough.

Delivering services differently

As an 'enabling' authority, the Council has already identified a number of services that might benefit from more community involvement and we have worked with local organisations and community groups to re-design and deliver them differently:

- As a result of a joint project between the Borough and the Parish Council, Cranbrook and Sissinghurst Parish Council has taken over responsibility for running Cranbrook's three public car parks. The car parks will remain free to use in order to encourage businesses and tourism in the town.
- The Council has worked with rural parishes and Kent County Council to re-design the Streetcruizer youth bus service. It was transferred to a not-for-profit organisation (Weald Rural Activities Project) and is now used to provide youth outreach activities five evenings per week across the borough (from previously only two evenings per week, mainly in Tunbridge Wells).
- For its Sports Awards for 2013, the Council is joining forces with the Courier and their annual Sports Awards to create a bigger and more prestigious event.
- A tendering exercise was run for the Council's Summer Activities programme for 2013 – this is now being delivered by a local voluntary and community organisation, and has involved more partner organisations than in previous years. Numbers of participants this year were around 50% higher than previous years.
- The Council is looking into developing an on-line event planning toolkit that community organisations can access and use to manage their own events.
- The Council has worked with the Town Forum and local communities in Tunbridge Wells to establish a Royal Tunbridge Wells in Bloom committee to take the lead in organising the annual competitions. Although the Council will continue to provide some funding, we hope that as a voluntary organisation, the committee will be able to attract funding, grow the competition and encourage even more community involvement.
- Ownership of a number of public toilets has been transferred from the Borough Council to local town and parish councils.
- Rusthall Parish Council has taken on responsibility for managing the Rusthall allotments.
- The Council welcomes and has assisted in the development of Friends Groups for our parks and open spaces such as Dunorlan, Grosvenor & Hilbert Park, Calverley Grounds and Woodbury Park Cemetery. We work closely with the Friends Groups to help improve the parks and encourage community ownership and use.
- The Council is working with partner organisations and the community in Sherwood as part of a national pilot scheme to develop 'Neighbourhood Community Budgets'. The broad aim is for the community to be supported to help re-design services to meet local needs, with local centres as hubs for joined-up service delivery for all residents.

The Council is keen to do more in some of these areas and also take a fresh look at other services that could be delivered differently. Initially, we would welcome interest from town and parish councils, community groups and social enterprises in helping to run or taking on the running of the following services:

- Car parks
- Community halls and centres
- Community events
- Public toilets in town and parish council areas
- Street lighting in private roads
- Allotments
- Setting up new Friends Groups for parks and cemeteries

Community Right to Challenge

The right to challenge allows voluntary and community groups, charities, parish councils, and local authority staff to bid to run a local authority service where they believe they can do so differently and better. This may be a whole service or part of a service.

Local authorities have to consider and respond to 'expressions of interest' which, if accepted, will trigger a procurement exercise for that service. The challenging body can then participate, alongside others. Tunbridge Wells Borough Council has agreed a framework for the community right to challenge and set a specified period for accepting expressions of interest for relevant services - from 1 April to 31 May each year, commencing 1 April 2013.

No 'expressions of interest' have been submitted by relevant bodies in the period 1 April to 31 May 2013. However, the Council is being proactive in bringing forward discussions with organisations who might be interested in providing services such as those described in the previous section.

Further information

For more details on the Community Right to Challenge, and how to submit an expression of interest, see the Community Rights section on the Council's website:

www.tunbridgewells.gov.uk/community

Community Right to Bid (Assets of Community Value)

The Community Right to Bid gives community groups an opportunity to bid to buy community buildings and facilities that are important to them – for example, a village shop, pub or a local community centre.

Community groups can nominate a facility and the local authority is required to keep a list of these 'assets of community value'. If an owner of a listed asset wants to sell it they have to notify the local authority. The local authority then, in turn, has to notify any interested parties. If local groups are interested in buying the asset they have 6 months to prepare a bid to buy it before the asset can be sold.

There has been some interest from community groups in the community right to bid and following early nominations the Council has started to compile a list of assets of community value.

Further information

For more details on the Community Right to Bid, to find out which community assets have been listed, and how to make a nomination for an asset of community value, see the Community Rights section on the Council's website: www.tunbridgewells.gov.uk/community

Asset Management

The Council manages a substantial land and property portfolio. As part of good asset management we constantly review our assets and where non-performing land and properties are identified we will bring these forward for disposal.

A list of assets currently under consideration for disposal is detailed in the Council's Property Asset Management Plan (Appendix 8). Ward Members, and Parish and Town Councils are welcome to submit viable alternative proposals for the Council to consider before any site is disposed of.

The Council will continue to seek opportunities to work with local community groups to improve community facilities. We will also look for opportunities to develop and enhance property assets across the borough, including opportunities to work in partnership with other public and private sector owners.

Further information

For more details on the Council's approach to asset management and possible opportunities to take on community assets and facilities, see the Council's Property Asset Management Plan. You can find this on the Council's website in the Plans and Strategies section: www.tunbridgewells.gov.uk/council/strategies,-plans-and-policies

Neighbourhood Planning

The Localism Act introduced Neighbourhood Planning as a way of passing decision-making to a more local level. This allows local communities the option of producing their own Neighbourhood Plan, Neighbourhood Development Orders, or a Community Right to Build Order for their area.

A Neighbourhood Plan is a document produced by the community, for the community, to shape and guide its future development. It may contain a vision, aims, policies and proposals for providing new development or improving existing facilities and it may also allocate sites for specific development. Such plans need to be developed through cooperative working and extensive community engagement and be in line with the principles set out in Tunbridge Wells Borough Council's own policy documents and National Planning policy. There is a formal procedure for producing these plans and, if adopted after successful examination and local referendum, the plan will form part of the statutory development plan for the area giving it more weight than other forms of Community Led Plans.

Other forms of Community Led Plans such as Parish Plans and Village Design Statements do not constitute Neighbourhood Plans under the Localism Act and have less statutory weight, but are still a very valid form of local community planning.

Currently, the Council is consulting on an application from Paddock Wood Town Council to designate a neighbourhood area, which is the first step towards preparing and adopting a Neighbourhood Plan.

Further information

For more details on Neighbourhood Plans adopted or under consideration, and how you can develop your own, see the Neighbourhood Planning page on the Planning Policy section of the Council's website: www.tunbridgewells.gov.uk/planning

How we can help

The Council is keen to assist any organisations or community groups who are interested in exercising their community rights or working with the Council to deliver services differently. We have put in place a number of measures to help:

- We have created a new section on our website covering all aspects of Community Rights, including the Right to Challenge, the Right to Bid and Neighbourhood Planning.
- We have produced guidance documents and templates for organisations to use when submitting an expression of interest in running a service or making a nomination for an asset of community value.
- We can signpost organisations to specific advice and guidance and potential sources of funding to help communities exercise their community rights.
- We are happy to discuss and share general information on any Council-run services that organisations might be interested in bidding to provide.
- We are preparing guidance for local communities on the various different types of locally-led planning documents and how we can help out - this is being prepared in collaboration with other Kent authorities. We are happy to offer general advice on developing a plan, but it is unlikely that the Council will have the resources to assist directly in drawing up the plan.
- We have provided funding to Voluntary Action Within Kent so that they can offer assistance, training and advice to community groups who want to know more about their community rights, such as:
 - advice and guidance on the requirements of setting up a properly constituted body
 - advice on sources of funding
 - developing business plans
 - tendering and procurement exercises
 - preparing 'expressions of interest'
 - networking opportunities with similar groups locally

Contacts

If you have any questions about the new community rights introduced under the Localism Act or would like more information, please visit our website or contact the Council as follows:

'Community Right to Challenge' enquires

Sports, Grants & Communities Officer
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'Community Right to Bid' enquiries

Economic Development Team
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'Neighbourhood Planning' enquiries

Planning Policy Team
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