Haringey Council

Subject:	**The Localism Act**
Date:	15 December 2011

The Localism Act was passed in November 2011 with the intention of decentralising power and empowering communities. The Act has significant implications for the powers of local government, community involvement in service delivery, community rights, the planning system and social housing.

According to the government the Act will allow for power to be exercised at the lowest practical level – "close to the people who are affected by decisions, rather than distant from them."

This short briefing introduces the new rights and powers for communities and the changes to the planning system. A full summary of the Localism Act can be found at: www.communities.gov.uk/publications/localgovernment/localismplainenglishupdate.

Community right to challenge

Local Authorities will have a duty to consider expressions of interest in providing, or assisting in providing, certain services on behalf of the authority. Expressions of interest can come from not-for-profit groups including voluntary or community bodies, charitable organisations, or two or more local authority employees. The local authority must consider and respond to this challenge.

Assets of Community Value

Local Authorities will be required to maintain a list of land or assets in its area that have been nominated by the community as of "community value" i.e. that the asset or land furthers the social wellbeing or social interests of the local community. They might include community centres, libraries, village shops, markets or pubs.

When listed assets come up for sale or change of ownership the Act then gives community groups the time to develop a bid and raise the money to bid to buy the asset when it comes on the open market.

Neighbourhood Planning

The Act introduces a new right for communities to draw up a neighbourhood plan or neighbourhood development orders. These plans can be very simple and concise, or go into considerable detail where people want. Through neighbourhood planning, the government says that communities will be able to:

- choose where they want new homes, shops and offices to be built
- have their say on what those new buildings should look like
- grant planning permission for the new buildings they want to see go ahead.

Provided a neighbourhood development plan or order is in line with national planning policy, with the strategic vision for the wider area set by the local authority, and with other legal requirements, local people will be able to vote on it in a referendum. If the plan is approved by a majority of those who vote, then the local authority will bring it into force.

Local planning authorities will be required to provide technical advice and support as neighbourhoods draw up their proposals.

Types of neighbourhood planning:

A **Neighbourhood Plan** can establish general planning policies for the development and use of land in a defined neighbourhood area.

Neighbourhood Development Orders will directly grant planning permission for certain specified kinds of developments within the neighbourhood area. Where people have made clear that they want development of a particular type, it will be easier for that development to go ahead.

The **Community Right to Build** will give local communities (in England) the power to decide what is built in their area. Where developments for new houses, community facilities or shops have the agreement of the local area through a 'community referendum', and meet a minimum criterion, communities will not need to go through the normal planning application process.

Community Infrastructure Levy

Local authorities are allowed to require developers to pay a levy when they build new houses, businesses or shops. The money raised must go to support new infrastructure - such as roads and schools. This is called the community infrastructure levy.

The Localism Act will change the levy to make it more flexible. It allows some of the money raised to be spent on things other than infrastructure. It will give local authorities greater freedom in setting the rate that developers should pay.