

Response to the Commission on the Future of Localism

<http://locality.org.uk/our-work/policy/localism-commission>

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This submission gives my comments on some of the topics and questions posed by this inquiry, in the order identified by the Commission. My comments are drawn from my experience of several decades as an active resident in Peckham taking part in many consultations about planning and development in Peckham, Southwark and London, and especially since 2002 in relation to Peckham town centre. This work led to the formation of Peckham Vision as a community action group responding initially to planning proposals for the redevelopment of the Central Rye Lane area, and growing into a resident-led activity to develop an increased local awareness and understanding of planning and related issues and of improved ways for the community to engage with the processes. It has developed direct connections through email and social media with over 12,000 local people. The work also led me to develop a conceptual model for the organisational dynamics and working relationships which are ever present in the interaction between the community and the authorities. This was published in 2011 as 'Community engagement in the social eco-system dance' and can be found here: <http://goo.gl/kpbBro> My comments also draw on and refer to those insights.

The Commission's Questions *(in italics)*

1. The Localism Act 2011 and Community Rights:

What have been the successes, barriers and challenges?

Q.1} In your view, how far have the goals of decentralisation and localism been met?

Q.2} How successful have communities been in using the Community Rights?

Q.3} Do you have recommendations for how the current Community Rights could be strengthened or improved and how use of the Community Rights could be increased?

Q1/2/3.1 The Community Right to Bid, which gives communities the right to bid to purchase privately owned assets of community value;

* This is a very important right which needs to be retained, but there is scope for improving the procedures for handling the community's involvement. The experiences that will be reported to this Commission will provide a good basis to identify some themes and practical ideas for that.

I have had direct experience of nominating two buildings as an Asset of Community Value (ACV):

- The local community was able to rescue a very important pub and local performance venue – the Ivy House in Nunhead <http://www.ivyhouseunhead.com> – from sale and conversion to housing. The Act enabled the sale to be suspended and the community were able to buy it and run it continuing it as a successful and important local community asset retaining and developing the significant benefits and role it already had in that locality.
- The Peckham Liberal Club <http://www.peckhamliberalclub.org> is an historic private membership club. It had second thoughts about selling the building for housing development after it was successfully nominated as an Asset of Community Value. This led to a rejuvenation of the Club and wider local community involvement and realising its potential as a local community and events space. It is important to note that the ACV nomination rights helped save the building as an ACV without the community having to buy the ownership.

* There are also important examples of community ACV nominations being used to halt the sale of pubs and other assets in the borough.

* The forms the Council produce could be better designed. It would be helpful to take good practise on the design of the forms used by each local authority, and also on the design of the procedures, to produce templates and guidance to spread good practise.

* Buildings publically owned as well as those privately owned can also fulfil all the criteria as Assets of Community Value and it is essential that the Act applies to them as well. The community needs to retain the right to put forward the ACV case for publically owned buildings which perform important community social functions.

* The Act's definition of social value needs to be capable of covering community beneficial uses of buildings which are significant for the local economy for example in terms of jobs and economic sustainability. The current definition seems to be capable of excluding such arguments in nominating buildings as ACVs.

Q1/2/3.2 The Community Right to Challenge, which allows communities to express an interest in the running of local authority public services in their neighbourhood;

* I have not been involved in exercising this right. However, observing the threats to local services in other areas and the way local people have been able to take over some of the services to avoid their total loss it is essential to retain these kinds of rights.

Q1/2/3.3 Neighbourhood Planning and Community Right to Build, in order to help ensure development and planning is community-led; and help communities to shape local planning and development?

* I have observed at close quarters in my own borough other neighbourhoods going through the process of setting up Neighbourhood Forums, deciding their boundaries and embarking on developing their Local Plan. It has all seemed a very difficult process taking several years and using up a significant amount of scarce local capacity. I have also through the London Neighbourhood Forum Network seen that this is a widespread issue. In our own local neighbourhood area we have been deeply involved, without support, in neighbourhood planning for our town centre for 12 years. By the time the Localism Act was created in 2011, we had taken part in 7 years of consultations which led to the local Area Action Plan (PNAAP). This led to Public Hearings in 2013, at which we facilitated a number of residents' representations including our own. Without substantial additional capacity we could not embark on the untried Localism Act process at that stage of the PNAAP.

* However if we had had our own Neighbourhood Local Plan by the time the PNAAP was finalised in 2014, it would have been very helpful in what has unfolded since then with the implementation of the PNAAP. During the last 18 months, it became apparent that there are no real protections for some of the details once the developers moved in to the town centre with the Council promoting regeneration under the PNAAP. For example, there has been no community power, that a Local Plan may have provided, to help protect the historic heritage even though we have a Conservation Area, or the fine grain of local land use for economic activity which is off the radar for the regeneration drives from the local authority and the development world.

* So although I have concerns about the way the Neighbourhood Planning process is operated in our borough because of the difficulties, and also the lack of support the process gives for local groups already doing much community planning work, I think that the Localism Act provision is very important. It should be strengthened and improved to give local communities a real say in what happens to their physical neighbourhoods. In our experience of trying to understand how the Community Right to Build powers could relate to our ability to act effectively, there does seem to be something missing in the nature of the provisions for support under the Act for communities which are dealing also with the higher level planning policies at the same time as thinking about how a Local Plan would fit into all that.

Q.4. If we were to imagine a new wave of powers, rights and levers for local communities, what might these look like?

* I have indicated some thoughts on improvements there might be from our experiences in my responses to the previous questions above. If there are further opportunities to comment when the Commission has gathered some evidence I would like to consider making some further comments, and take part in an oral evidence session.

Q.5. What are the current and future risks and opportunities for localism and decentralisation?

* A risk is that the rights will be deemed to be ineffective and removed. This would be the wrong decision. They are a step in the right direction and need to be improved in the way they operate in the light of experience. This Commission is an important part of that review process.

2. Devolution: How can we achieve greater 'onward devolution' and power to neighbourhoods?

{Q.6 What is the scope of devolution deals to build on the localism agenda and empower communities? • For {example, what opportunities are there for 'onward devolution' to communities?

{Q.7 What are the risks and opportunities of devolution? In particular, in terms of: • Public service {transformation and commissioning. • Democratic engagement • Local economies

* The devolution of decision making and managing public services to lower levels of institutions and organisations needs to be distinguished from the processes needed to enable communities and neighbourhoods which are impacted by those decisions to be fully involved in the process leading up to the decisions. Devolution to local authority level is in London absolutely not the same as devolution to the local community at neighbourhood and street level.

* There are significant opportunities currently missing to ensure neighbourhood communities are genuinely engaged in the decision making process to make the decisions more effective and relevant. These are however more likely to be opportunities for collaboration, joint working and co-production than simple devolution of decision making.

Q.8. What is the potential role of civil society organisations in the devolution agenda?

* This potential is very high for both voluntary sector (registered charities) and also for the community sector. All civil society organisations have significant knowledge and experience vital to effective policy making which needs to be much more effectively brought into the decision making process through collaboration, co-production and joint working.

Q.9 Have communities and citizens been engaged and involved in the design and implementation of devolution deals?

* In London I am not aware that we at borough or neighbourhood levels have been involved.

Q.10 What more needs to be done to maximise the role of local people in devolution?

* For local involvement in these kinds of discussions, people who are willing to take part need to be well prepared and educated into the way the system works so they can understand the proposed changes.

* There should be a statutory requirement for support for this education to be provided at borough and neighbourhood levels, and that the education be devised in collaboration with the recipients of the education.

* There needs to be a requirement that the local authority should develop a co-production approach in collaboration with the local voluntary sector and community sector, which recognises and reflects the different roles and support needs of these two sectors.

3. Civil society and community infrastructure: what are the institutions, organisations and governance needed for the 'Future of Localism.'?

Q.11 What is the role and capacity of civil society in supporting community empowerment? What further resources, powers and infrastructure are needed?

* A distinction between two sectors, which are often fused together - the 'voluntary and community sector' - is important in identifying the different organisational processes needed for effective community empowerment. The 'voluntary sector' is mainly those professional organisations that deliver services to the community, whereas the 'community sector' is mainly citizens' associations that are self initiated to meet their own needs. Illustration about this distinction and its implications for their respective roles and support needs can be found in my paper on 'Community Engagement in the Social Eco-System Dance' - <http://goo.gl/kpbBro> and this video clip: <http://goo.gl/Fs6f73>

* A major barrier to community engagement in planning is the relative inaccessibility of essential information to the public. This includes the inflexibility and lack of user friendliness of the Council's planning portal for accessing information about planning applications and the presentation of planning policy material geared to the needs of planning officers and developers rather than to the public. A lot more progress is needed to get all this into an accessible state. We have suggested organised interaction between the planners, web designers and frequent users of the planning system but this has come to nothing. It should be a standard practise to involve users of the material and procedures to have some collaborative way of identifying improvements to the processes.

Q.12 What models of neighbourhood governance, community decision making and community infrastructure are successful? What has contributed to their success?

* The organised community sector is made up of citizens' associations which include groups of varying informality to groups which are constituted and with some basic organisational structure. See pages 13-17 in this paper: <http://www.birmingham.ac.uk/generic/tsrc/documents/tsrc/discussion-papers/discussion-paper-b-community-engagement.pdf> . Most of these groups have potential to contribute to the policy making and decision making in relation to their own neighbourhoods or areas of mutual interests. They all need varying forms of support for their operations, administration and management, very little of which is currently available. But an important change needs to be the recognition by the local authority **and** the local voluntary sector that new kinds of arrangements need to be devised **with the community sector** for the ways they can be engaged in a collaborative co-production process.

* Two new organisational arrangements, in the form of working level groups, have recently emerged in our town centre which are a useful small step in this direction, and illustrate working level collaboration. The groups bring together council officers, councillors, project managers, local community groups and other individuals in a working collaboration. These are early steps which need refinement but exemplify aspects of what seem to be an effective attempt at horizontal working together of individuals from the local community with a significant interest in the project and individuals from the operational management in the public sector and private sector organisations involved. Both these developments arose from several years of active community initiation by Peckham Vision. This was:

- the work leading to the Heritage Lottery Fund grant for the Townscape Heritage Initiative (THI): http://www.2.southwark.gov.uk/info/200562/peckham_townscape_heritage_initiative/3874/peckham_thi_background_and_funding This created: **Peckham Heritage Regeneration Partnership (PHRP):** http://www.2.southwark.gov.uk/info/200562/peckham_townscape_heritage_initiative/4057/peckham_heritage_regeneration_partnership "The Peckham Heritage Regeneration Partnership is a partnership of local people, community organisations as well as council officers and elected councillors who are meeting quarterly to contribute to the successful delivery of the Peckham Townscape Heritage Initiative (THI). The Partnership is made up of people who are passionate about Peckham - its past, present and future: there are architects, planners, community activists, historians, conservation specialists, artists and local businesses around the table. The Partnership remit is to:
 - Review progress of the capital restoration and repair projects
 - Agree how to spend the community budget to promote and celebrate Peckham's heritage
 - Support the implementation of the Rye Lane Peckham Conservation Area Management PlanMembers of the public are welcome to attend the Partnership meetings as observers. "

- the (continuing) campaign for the long term reuse of the partially used multi storey car park:

http://www.peckhamvision.org/wiki/Multi-Storey_Car_Park#What_the_Planning_Inspector_said_2013.2F14 This led to

Peckham Levels Steering Group: <http://www.peckhamlevels.org/purpose>

“Peckham Levels is guided by a steering group of community members and local representatives. The group includes local residents and business owners, community organisations, a local charity, council workers and a youth representative. Their role is to help Peckham Levels achieve its social objectives, and hold the management team accountable for making the project as successful as possible. They also help connect the project with people and groups in the community, and they are responsible for helping to decide which applicants are given subsidies studio space.”

* A part of the success at this early stage of these two collaborative working level groups has been the sensitive collaborative approach by the people appointed to initiate them and develop and manage their operation.

Q.13 What role do neighbourhood forums, Parish and Town Councils have in localism?

* In London, Neighbourhood Forums in some respects occupy the vacant space where we have no parish councils. So also do the new collaborative arrangements described above for two current projects in our town centre. In all these cases there is more real involvement of local people than in the usual consultation processes which are mostly alienating and discredited for real engagement.

Q. 14 What other practical opportunities are there for the ‘future of localism’ at a national and local level, for example through future legislation or government activity?

We need something to require local authorities to create genuine collaborative working where their work impacts local communities, and which fully reflects that there can be no real collaboration without all stakeholders being genuinely involved in the creation of the collaborative processes.

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