

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

Discussion Paper 5 - Local Area Agreements and Community Strategies

1. Duty to Prepare and Submit Draft Local Area Agreement

- 1.1 When directed by the Secretary of State, a responsible local authority must prepare and submit a draft Local Area Agreement specifying:
- local improvement targets;
 - in relation to each local improvement target, the persons to whom the target is to relate; and
 - the period for which the Local Area Agreement is to have effect.
- 1.2 In preparing the draft Local Area Agreement, the responsible local authority must -
- consult each partner authority; and such other persons as appear to it to be appropriate;
 - co-operate with each partner authority in determining the local improvement targets relating to the partner authority which are to be specified in the draft Local Area Agreement; and
 - have regard to its community strategy prepared under Section 4 of the Local Government Act 2000 (c.22) (strategies for promoting well-being); and any guidance issued by the Secretary of State.
- 1.3 In determining the local improvement targets relating to it which are to be specified in the draft Local Area Agreement, each partner authority must -
- (a) co-operate with the responsible local authority; and
 - (b) have regard to any guidance issued by the Secretary of State.
- 1.4 In terms of the Local Area Agreement in so far as it relates to the Epping Forest District, the County Council is the responsible authority, and the District Council is a partner authority.
- 1.5 "Local improvement target" means a target for improvement in the economic, social or environmental well-being of the responsible local authority's area which relates to any or all of the following -
- the responsible local authority;
 - one or more partner authorities; and
 - one or more other persons acting, or having functions exercisable, in the area of the responsible local authority.
- 1.6 A target specified in a Local Area Agreement relates to the responsible local authority if the exercise by the authority of any of its functions, or anything done by the authority, could contribute to the attainment of the target.

- 1.7 A target specified in a Local Area Agreement relates to a person other than the responsible local authority if -
- the exercise by the person of any of his functions, or anything done by the person, could contribute to the attainment of the target; and
 - the person has consented to the target being specified in the Local Area Agreement.

2. Approval of Draft Local Area Agreement by Secretary of State

- 2.1 Where a draft of a Local Area Agreement has been submitted to him, the Secretary of State may, by notice in writing to the responsible local authority, approve the draft; or require the responsible local authority to modify the draft and resubmit it.
- 2.2 Where the Secretary of State approves a Local Area Agreement it has effect for the area of the responsible local authority for the period specified in the agreement.

3. Duty to have regard to Local Improvement Targets

- 3.1 The responsible local authority, and each partner authority must, in exercising their functions, have regard to every local improvement target specified in the Local Area Agreement which relates to them.

4. Designated Targets

- 4.1 Where the Secretary of State approves a draft of a Local Area Agreement, he may, within one month beginning with the date on which he approved the draft, designate any local improvement target specified in the Local Area Agreement.
- 4.2 It is envisaged that the designated targets will be those which have been identified as priorities by the Secretary of State and which relate to the national indicator set for local government, as determined through Public Service Agreements. The effect of a designation is that the target may not be amended or removed except with the approval of the Secretary of State, following the submission of a revision proposal by the responsible authority.
- 4.3 Where the Secretary of State has approved a revision proposal to the Local Area Agreement he may designate any local improvement target that has been added by the revision proposal. This must be done within one month of the date the revision proposal was approved. (Targets may also be added by agreement between the responsible authority and each person to whom the target in question is to relate). But such targets, once added, may not be designated.

5. Designated Targets: Revision Proposals

- 5.1 It is envisaged that a Local Area Agreement will last for a number of years. Within this time the responsible local authority may want to alter the designated targets in the Agreement. This will be done through a 'revision proposal'. The revision proposal may seek to add a target or delete or alter designated targets.
- 5.2 A 'revision proposal' is a document that proposes changes to designated targets within an approved Local Area Agreement. The Secretary of State may also direct a local

authority to prepare a 'revision proposal'. Where such a direction has been made, the responsible authority must prepare a revision proposal.

- 5.3 The revision proposal may include changes to, or removal of, designated targets from the Local Area Agreement. It may propose additional targets. Where a revision proposal changes a target or an additional target, it must also specify the persons to whom the target is to relate.
- 5.4 In preparing the revision proposal, the responsible local authority must:
- consult each partner authority and other persons as appear to it to be appropriate, including the voluntary and community sector and local businesses;
 - co-operate with each partner authority in determining changes to designated targets, removal of designated targets or additional local improvement targets where these are relevant to the partner authority; and
 - have regard to its community strategy and to any guidance issued by the Secretary of State.
- 5.5 Each partner authority must co-operate with the responsible local authority, and have regard to any guidance issued by the Secretary of State, in determining changes to designated targets, the removal of designated targets or additional local improvement targets, that are to be included in a 'revision proposal'.
- 5.6 Where the Secretary of State directs a responsible local authority to prepare and submit a revision proposal, a date by which this revision proposal must be submitted can be set.

6. Approval of Revision Proposal

- 6.1 If the revision proposal was prepared in response to a direction by the Secretary of State may approve the revision proposal or require the responsible authority to modify it or reject it. Alternatively, if the responsible local authority has chosen to prepare and submit a revision proposal, the Secretary of State may either approve or reject the proposal. In this case he may not require the revision proposal to be modified.

7. Duty to Publish Information about Local Area Agreement

- 7.1 The responsible local authority must publish a memorandum relating to the Local Area Agreement where:
- the Secretary of State has designated a local improvement target or has revoked a designation;
 - the approved Local Area Agreement has been amended by a revision proposal, that has been approved by the Secretary of State; and
 - the approved Local Area Agreement has been amended by locally agreed alterations, additions or deletions of local priority targets.

8. Preparation of Community Strategy

- 8.1 Responsible local authorities are required to consult and seek the participation of partner authorities in the development and subsequent modification of a community strategy. The partner authorities will be the same as those involved in the preparation of the Local Area Agreement. Local authorities will remain under a duty to also consult and seek the participation of such persons as they see fit when preparing their community strategies. This is intended to include the voluntary and community sector and local businesses.