

Community Rights and Neighbourhood Planning:

What community activists are saying





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The coalition government is getting ready to introduce a range of new rights for communities in relation to local services and assets, development and neighbourhood planning. These community rights are contained in the Localism Bill which is expected to be passed in November 2011.

Following a survey of our members to inform our response to CLG consultations on the Community Right to Buy and Right to Challenge, we then conducted a detailed survey of activists in local VCS organisations on their perceptions of community rights (Community Right to Buy, Right to Build, Right to Challenge, as well as neighbourhood planning) and community groups' abilities to take advantage of new opportunities. Additionally, Dudley CVS conducted the same survey of VCS organisations in their area, which we have included in the results (for a total of 84 survey responses).

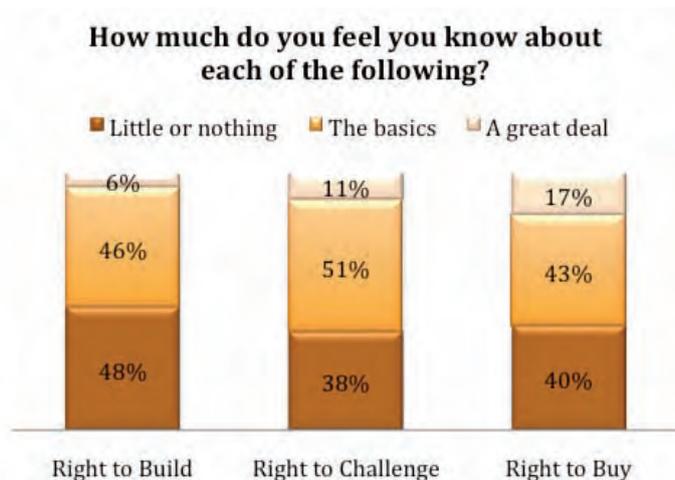
The purpose of these surveys was to investigate the needs of local communities in relation to emerging opportunities for community action to inform Urban Forum's policy work and service development.

Knowledge and understanding of community rights

We asked community groups about their awareness and how much they feel they know about the community rights. Overall, awareness is fairly low, with only an average of 11% of respondents saying that they 'know a great deal' about the community rights, and 42% saying that they 'know little or nothing' about them, with the remaining 47% believing that they know the basics.

This was also evident in the responses to the question which asked how potentially valuable people saw community rights as being for their community, with about one third of respondents in each case saying that they don't know enough to judge the value. Knowledge of neighbourhood planning was similar or slightly higher (18% know a great deal and 40% know the basics).

However, findings from the survey indicate that basic knowledge of the community rights is even lower than the figures suggest. Through the comments and responses to open-ended questions it becomes clear that there are misunderstandings as to what community rights are and how they can be used. The Community Right to Challenge, in particular, seems to be widely misinterpreted. Over one third of re-

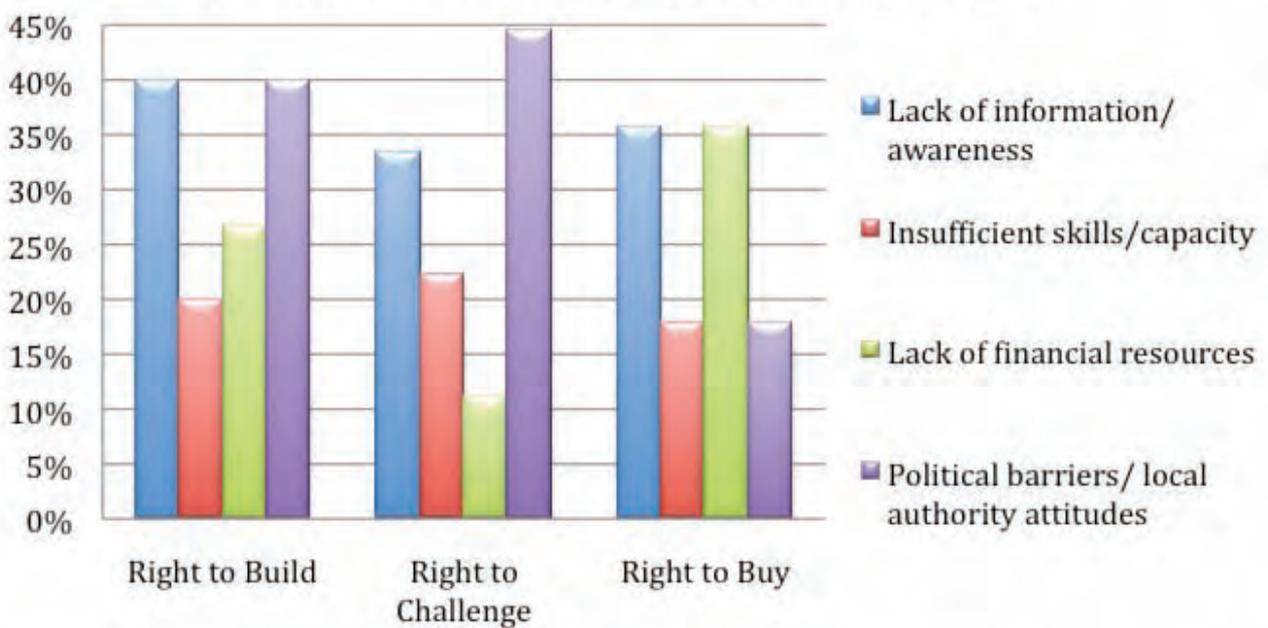


sponses to the questions of the value and consequences of the Right to Challenge indicate that respondents believe that it is about planning or challenging local authority decisions, rather than a means to trigger a commissioning process and bid to take over running services. These respondents all chose that they ‘know the basics’ about the Community Right to Challenge, so there is a need for clarification and myth dispelling.

Lack of information and understanding about community rights, what they mean and how they work appears to be preventing communities from being able to take them up. Indeed, when asked an open-ended question about what barriers would prevent groups from accessing community rights, lack of information and awareness came out as the joint biggest barrier for the Right to Build (40%) and Right to Buy (36%), and second highest for the Right to Challenge (33%). Many made reference to the need for ‘plain English’ guidance that is practical and not ‘full of rhetoric’.

A number of obstacles about political barriers or uncooperative local authorities came out as the main perceived barriers to taking up the Right to Challenge (44%), and joint top barrier to exercising the Right to Build (40%). These issues included both the vested interests of people, groups and authorities, and practices around public sector commissioning and decision-making. In regards to neighbourhood planning, issues in dealing with local authorities were also mentioned by numerous respondents, with many worried that a lack of local political will could prevent the process from being meaningful. The issue of apathy was mentioned several times on neighbourhood planning, with respondents worried that not enough local people were ‘active citizens’ and interested in being involved.

What do you feel are the barriers preventing you or the people you work with from taking up any of the new rights?

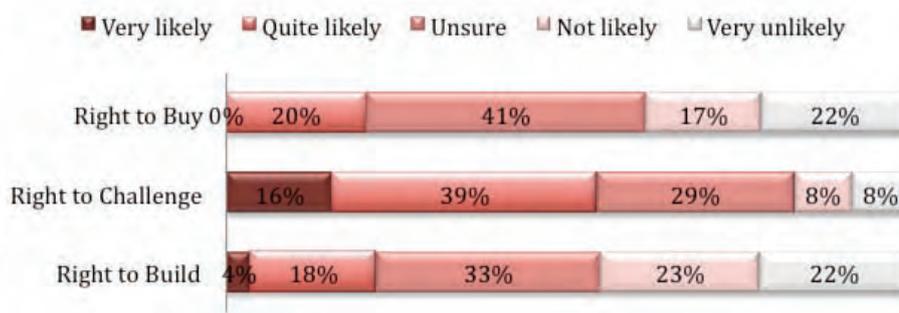


The benefits and consequences of community rights

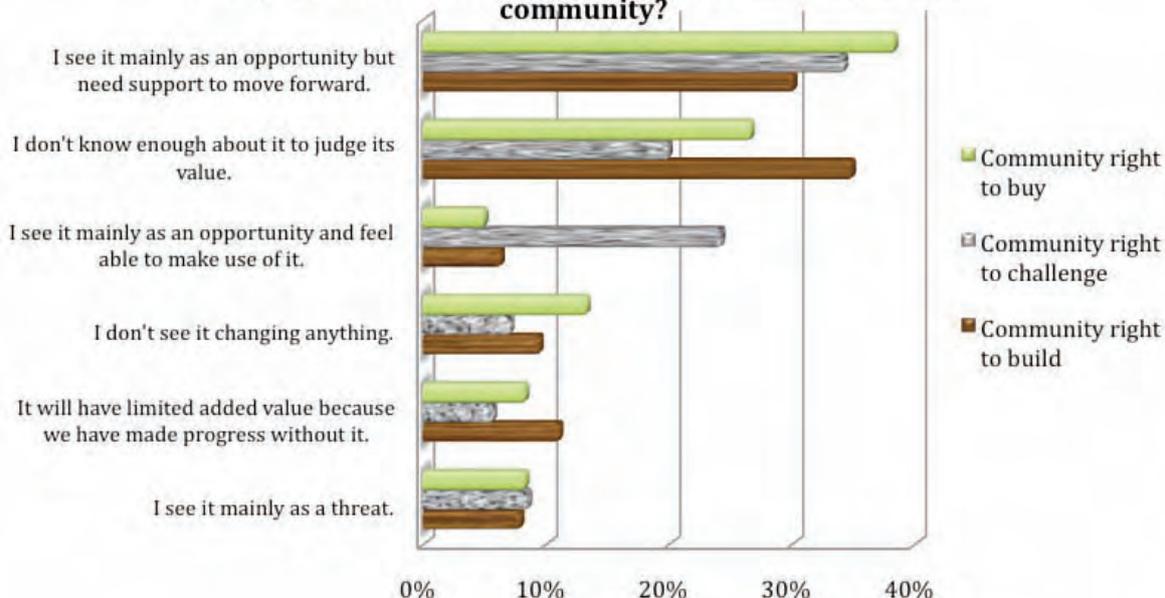
Whilst respondents highlight a lack of information about community rights, they are optimistic about the potential benefits that community rights can offer their communities and beneficiaries with 46% saying that they mainly felt the rights are an opportunity (while another 27% said they did not know enough to judge). Despite this need to have access to more information or have things clarified, overall one third (32%) of activists said they were quite or very likely to take advantage of one of the rights. Of this group, 85% know 'little or nothing', or just the basics.

There is the most interest indicated in taking advantage of the Community Right to Challenge, where over half of respondents said that they were 'quite likely' or 'very likely' to take up the right. Similar enthusiasm exists for taking part in neighbourhood planning, with 52% saying it was very or quite likely they would do it. Those who said it was likely that they would be involved in taking up the Right to Build and Right to Buy were considerably lower (not a single respondent said they were very likely to be involved in taking up the Right to Buy), but the largest percentage of respondents said that they were unsure. The previously acknowledged lack of available information about these rights is likely to be a factor in this assessment, as well as the fact that the Right to Buy directly necessitates financial resources that many groups simply don't have and do not see how they could raise.

How likely is it that you will be involved in taking up the following?



How potentially valuable do you see the following for your community?



When asked about how valuable each community right would be for their community, the largest number indicated that they 'see it as an opportunity but need support to move forward' (30% for the Right to Build, 41% for the Right to Challenge, 40% for the Right to Buy). Though not a community right as such, neighbourhood planning was also seen as an opportunity (with a need for support) by 35%, with comments suggesting that it could have real, tangible benefits for people hoping to influence planning and development in their area.

We also asked community activists open-ended questions on both what potential benefits and negative consequences they believe community rights will have. Responses demonstrated mixed feelings, with enthusiasm for community rights and interest in using them coupled with some concerns about the potential consequences of the community rights agenda.

Responses were varied to the open-ended question "Where you think there is potential value, what do you think the benefits could be?" but a few themes can be drawn out. Many respondents suggested that community rights could allow communities to have a voice in their local area, particularly over planning decisions and service provision where they might previously have felt disempowered. Some community activists believed that allowing local people to take over services and assets could challenge local authority monopolies where these exist and improve services. As one respondent commented, "This is potentially very important but communities need to have the rights 'unpacked' and explained."

We asked "If you think there are any potential negative consequences can you tell us what these are?" The responses to these followed a few common themes, including: the risk of competing interests to divide communities, for commercial interest to be given priority over community interest, and the fear that community groups will end up providing services that they are unprepared for and unqualified to take over. In particular, respondents indicated a fear that community rights could benefit more privileged groups and increase inequalities within communities, if less vocal communities are not properly supported to take advantage.

There were some variations in the feelings about the different rights:

The issue of 'nimbyism' was brought up several times in relation to the Community Right to Build and neighbourhood planning, which are relatively interlinked in terms of being part of reforms to the planning process. Community groups were worried about the potential for stalling developments that might benefit the wider community beyond the one where development might take place. This could also allow affluent communities to choose the developments which could most benefit them, at the expense of building social and affordable housing for disadvantaged communities and homeless people. Linked to this was a fear that the Right to Build and other planning reforms could damage 'bigger picture', long-term strategic decision-making.

In relation to the Community Right to Buy, insufficient funding and resources were considered as great a barrier as lack of information, given that groups may not be able to afford to bid to purchase assets of community value. Several respondents indicated that without more emphasis on asset transfer as opposed to buying assets at market value, the Community Right to Buy would not be particularly helpful for them.

On the Community Right to Challenge, the two biggest potential consequences respondents were concerned about were the possibilities of commercial business being more likely to be able to take over services than community groups, and that community groups would need more training, skills and resources if they are able to fully take advantage. Additionally, the potential for Community Right to Challenge leading to fractured and inconsistent service provision which further disadvantaged poorer communities was a concern raised.



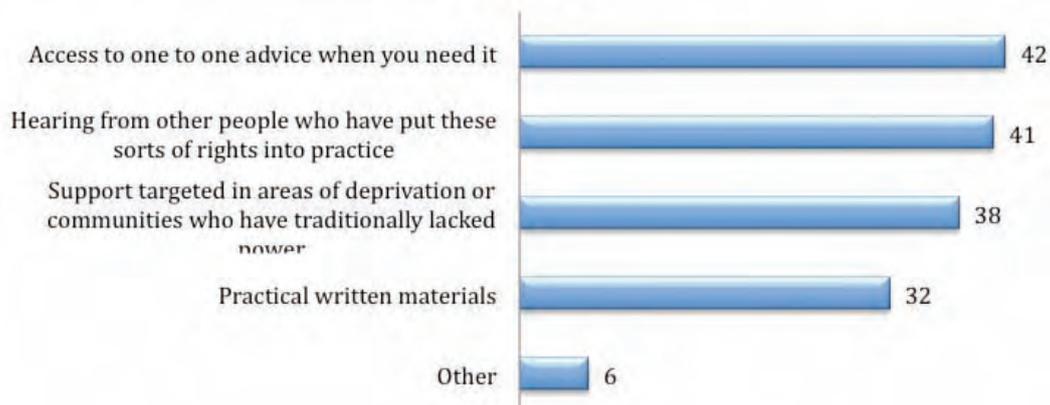
Support needs

When asked what types of support would be most useful to overcome barriers, having access to one-to-one advice when needed (42%) and hearing from others who have put these rights into practice (41%) were the most popular, and 38% felt that support needed to be targeted in areas of deprivation or with communities who traditionally lack power.

Respondents suggested that a wide variety of support options made easily available would increase groups' success at bidding for services and community assets, and for pushing development in their area. Comments to both our survey and consultation responses said that support will be necessary in a number of areas and stages of the processes of taking up community rights, particularly around general information and support, and accessing specialist/technical help as required. A need for dedicated support throughout the bidding process, fundraising help and support in understanding commissioning process were mentioned.

Only a quarter of respondents from local voluntary and community groups said they might be able to offer support, and two thirds were unable to name another organisation locally or nationally which might be able to do so.

What sorts of support do you think could help overcome these barriers?



Conclusions

High interest but some trepidation

The survey findings provide useful information about what community activists think about community rights (both positive and negative), what the barriers are to using them, and some ways that these might be overcome.

Overall, local groups expressed both optimism and hesitation about the future effects of community rights. Respondents believe that there is potential for them to help communities have more of a say in their areas, and have a reasonably strong interest in using them. However, they also are concerned that community rights might increase inequalities, and have fears around the impact on services and on community cohesion. These concerns have important implications in relation to how community rights are taken up – who takes up the rights, how inclusive practice is, how communities manage competing interests, and making sure community-run services and assets are feasible and sustainable at the outset.

Responses to the survey show that there is interest among community activists in having more control over local services, development and assets, with 32% saying it is very or quite likely they will take advantage of one of the rights. There is similar interest in neighbourhood planning, which may go alongside the Community Right to Build in some areas, which over half of respondents said they would be interested in taking up.

Low levels of knowledge so far

So far understanding of community rights is low, with 89% saying they know either little or nothing or just the basics, and only 11% of community activists saying they know ‘a great deal’ about them. Related to this, 27% of respondents could not evaluate the potential benefits of community rights because they ‘don’t know enough about them’.

Low levels of awareness of these policy developments are striking when taken into consideration the long history of asset transfer and service delivery within the voluntary and community sector. Though not conclusive, this could suggest that whilst a minority of organisations may have become very knowledgeable in these areas, this remains niche and hasn’t yet resulted in a more general level of knowledge or experience among local community groups.

Support needed

Lack of information and awareness are significant barriers to being able to take advantage of community rights. Nearly half of respondents see community rights as an opportunity, but 73% say they would need support in order to take action on them. While a third (32%) said it is quite or very likely that they will take advantage of one of the rights, of this group, 85% only know ‘only the basics’, or ‘little to nothing’ about how community rights work.

Types of support that would be welcomed included peer learning and one to one support, general information and awareness raising (with an emphasis on practical guidance, in plain English), and specialist/technical support in specific areas.

A large majority of respondents, all activists from local voluntary and community groups, said that their organisation would not be able to support others in using the new rights and could not name any local or national organisation that could. This is suggestive of both a need for new services, but also a need to increase in awareness and accessibility of specialist services that do exist.

Processes and power relationships

Obstacles to the successful take up of rights by communities that are political in nature (power, vested interests), or relate to the local authority's processes or attitudes are also perceived as a significant barrier among activists – particularly in relation to the Right to Challenge. Resolving these has wide implications – such as commissioning practices, cross-sector relationships and transparent decision-making and accountability, and balancing different interests.

This and concerns about impact on equality and cohesion underline the essential role of community groups in influencing how processes related to community rights are implemented and how the community rights agenda as a whole develops.



FOR MORE INFORMATION CONTACT

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