

1. Introduction

- 1.1 The Scottish Government launched a Consultation Paper on the Community Empowerment (Scotland) Bill on 6 November 2013. This had a deadline for consultation responses to be submitted to the Scottish Government by 24 January 2014. Following representations from Bailie Aileen Collieran, an extended period to 14 February 2014, was offered to the City Council, the Glasgow Community Planning Partnership and community and third sector organisations in Glasgow to allow fuller consideration and a fuller response to be submitted.

2. Progress

- 2.1 Within the Council an internal working group, with representation from a number of relevant services across the Council and Council family, has been meeting to seek to formulate a corporate City Council response. It is anticipated that this will be submitted to the Executive Committee on 6 February 2014 and submitted thereafter to the Scottish Government. Following final approval of the Council submission, this will be submitted to a future meeting of the Calton Area Partnership for information, but also to inform our own working processes that were established with the formation of new structures, including active community representation, with effect from April 2013.
- 2.2 Officer representatives from across the Glasgow Community Planning Partnership have also been meeting with a view to agreeing areas of consensus to allow a joint submission, as appropriate, from across the GCPP. The next meeting is scheduled for 22 January 2014 and an update will be provided to a future Calton Area Partnership meeting. Individual Community Planning Partners will, in addition, be submitting their own comments, some at national level and others from a Glasgow perspective.
- 2.3 The Council, on behalf of the GCPP, arranged a seminar and series of workshops on Saturday 14 December 2013. The purpose was to raise awareness of the content of the Consultation Paper amongst the community, voluntary and ethnic sectors and to facilitate, if so desired, individual and sectoral responses, as considered appropriate. There was a large turn out across all sectors and the event was well received and positively commented on. A summary report is attached at Appendix 1.
- 2.4 In order to capitalise on the positive feedback arising from the open dialogue and discussion which took place on 14 December, it is intended that a series of further events will be arranged at sectoral level. In the meantime however, it should be emphasised that the consultation is still open for comment and influence from a Glasgow perspective. It is suggested that all members, via their host organisations, should seek to capitalise on this important opportunity to shape future community planning and community involvement approaches by submitting comments to the Scottish Government by no later than Friday 14 February.
- 2.5 It is not anticipated that the Bill will progress into draft legislation until well into the second half of 2014, thus providing ongoing opportunities to discuss matters locally as well as seeking to inform and influence Scottish Government thinking.

3. Council Strategic Plan Implications

Economic Impact: None

Sustainability: None

Financial: None

Legal: None

Personnel: None

Sustainable Procurement and Article 19: None

4. Recommendations

4.1 The Calton Area Partnership is recommended to:

- (1) note the contents of the report;
- (2) encourage all members to submit comments on the Consultation paper by no later than 14 February; and
- (3) note that a future report will be submitted providing further information on the Council response and details concerning planned sectoral events.

Appendix 1

**Summary report and notes from
Community Empowerment (Scotland) Bill
Consultation Event
14 December 2013**

Introduction

Glasgow City Council facilitated this event on behalf of the Glasgow Community Planning Partnership.

Its purpose was to create an informal discussion forum to:

- *provide community and voluntary networks with an opportunity to discuss and review the proposed Community Empowerment (Scotland) Bill*
- *enable participants to go back to their communities and share others' thoughts*
- *support the networks to submit an informed response to the Scottish Government on behalf of their individual networks if they wish*

The focus for the event was to get people thinking and talking about how the proposals might benefit their communities and in so doing, identify what support they would need.

Sixty five people came together and shared their ideas and raised concerns about how the proposed Bill might affect their communities.

There was a distinctly positive atmosphere across the morning with people participating fully in the discussions. 77% of people who completed evaluation forms stated that over all, the event was either 'very good' or 'good.' 59% reported that the morning had been 'good' or 'very good' at supporting their group/organisation's individual response to the proposed Community Empowerment (Scotland) Bill.

This summary report

This report is designed to give a flavour of the comments made and ideas suggested in the workshops. It only contains key points. It is not a record of everything that was said or written down.

Outline programme

Welcome, introductions & overview

Bailie Aileen Colleran

Community Empowerment (Scotland) Bill – scene setting

Steve Brown, Collaborate Consulting Ltd.

Discussion groups run twice

Right to participate in processes to improve outcomes of service delivery

Community Rights to Property & Community Right to Buy

Strengthening Community Planning and embedding the outcomes approach in legislation

Allotments + Common Good

Local democracy

Summing up, next steps, evaluation & thanks

Bailie Aileen Colleran

Steve Brown, Collaborate Consulting Ltd.

Overall summary

Several points emerged across many of the workshops, irrespective of the topic being discussed. This suggests that there is a real consensus of opinion about what the key issues are for participants.

Support

If communities are to realise the suggested benefits of what the Bill is proposing, then they will need structured support to do so.

In order to participate in processes and request asset transfers or purchases, community bodies are expected to be able to articulate their arguments and present their plans.

Suggestions about what is required range from accessing information and impartial advice through to the provision of training programmes and business development support.

Some people may call this 'Capacity Building.' However, it is important to recognise that public authority personnel will also need support to enable them to respond to requests from communities.

Both communities exercising their rights and public authorities carrying out their duties, will need a sound understanding of the legislation and required processes.

Points were expressed about how such levels of support would be provided and resourced.

Communication

Improving information and communication exchange between communities and public authorities is seen as a priority. Improvements in sharing information are needed about what each are doing and planning.

Good practice and progress needs to be shared. A variety of communication routes and methods should be used to ensure that more people can be engaged. Communities are also particularly keen to receive more feedback from consultations.

Partnership

Many people are hoping that the new Bill will result in stronger partnership arrangements. Working with communities should be the aim. There's a danger that the proposals could be read to imply that there are only two options; either the community takes over assets and land or public authorities continue to retain control. In reality, the best results are achieved when people work together.

Flexibility

There is a need to fully embrace diversity within and across communities. A 'one size fits all' approach will not work when consulting, engaging or negotiating with communities.

Linking components

Opportunities should be sought to link the currently separate proposals. For example, disposing of Common Good assets with Right To Buy and Communities' requests to participate with Community Planning Partnerships' duties to engage and consult with communities. More can be achieved in communities if efforts are successfully combined.

Additional points from each of the workshops

Right to participate in processes to improve outcomes of service delivery

People identified a wide range of **topics and concerns** which they believe communities should be able to participate in. These range from transport and licensing arrangements to issues affecting disabled people and road repairs.

Several benefits were identified should the Bill's proposals be enacted. For example, communities would be **enabled to have a voice** and become actively involved in *restructuring services*. Public services could also become more accountable to their communities.

Participants propose that public authorities need to be able to use the **knowledge and expertise** of communities in order to deliver effective services.

Strengthening Community Planning and embedding the outcomes approach in legislation

Several people suggested that land use and **broader planning issues** should be included under the Community Planning legislation. Many people are genuinely interested in such issues. Therefore, more people could become actively engaged.

Other components of the Bill include right to buy land and the transfer of assets, Community Planning was suggested as the means for **co-ordinating** such initiatives.

Participants believe that a **culture change** will be required in order to achieve the suggested aims. Communities and public authorities should recognise each other as equal partners and be prepared to truly share power.

People recommend that emphasis should be placed on **face-to-face engagement** and new series of events in order to reach broader sections of the community.

Community Rights to Property & Community Right to Buy

The Right to Buy or the transfer of land or buildings was overwhelmingly identified as **major issues** for participants' communities.

A large majority of participants also think that there should be a **compulsory power** for communities to buy neglected or abandoned land in certain circumstances.

People acknowledged that the existing rural **Right to Buy** works. It has helped make communities stronger. Therefore, it would be beneficial to **extend this to urban** communities.

Unanimously, participants wish to see provisions in the Bill which enable communities to have the right to take over or purchase **privately owned** land and buildings.

Allotments + Common Good

Views were expressed that if allotments are to be given **permanent long term leases**, then so should community gardens. Participants also feel that the health benefits of allotments and community growing spaces need to be stressed. This should not merely be perceived as a land issue or asset transfer issues.

In relation to allotments, it was suggested that interested people should have the option of being able to access half or quarter and not just full sized plots.

Contrary to the Government's view, participants believe that a **legal definition of 'Common Good'** is required and it should be written in clear language.

Local democracy

An overwhelming majority of the participants do not think that decisions about local issues and services are made locally enough in Scotland at the moment.

Participants stressed that **meaningful local dialogue** takes time to undertake and needs to be properly resourced.

A range of views were expressed about what **'deciding locally'** means. Some people acknowledge that it depends on the issue. Some issues can appropriately be addressed in neighbourhoods, others at a city level.

Support and moving forward

Several organisations have produced briefing documents and materials on the proposed Bill which are designed to help people engage in the consultation. Some have also prepared their own survey questionnaires which people may wish to contribute to. These include:

- Scottish Community Development Centre www.scdc.org.uk
- Community Development Alliance Scotland www.communitydevelopmentalliancescotland.org
- Scottish Communities Alliance www.scottishcommunityalliance.org.uk
- Scottish Communities Climate Action Network www.scottishcommunitiescan.org.uk
- Glasgow Allotments Forum website www.glasgowallotmentsforum.org.uk
- Scottish Allotments and Gardens Society www.sags.org.uk

The Government Consultation pdf document and questions are available on line with an official deadline of 24 January 2014. However, Glasgow City Council has negotiated an extension on behalf of anyone in Glasgow until **14 February 2014**.

- www.scotland.gov.uk/Publications/2013/11/5740/downloads
- consult.scotland.gov.uk/community-empowerment-unit/cerb/consultation

The Government is not expecting that everyone should answer all of the questions. Rather, it is suggested that people should submit responses on the categories which are of most interest.

Comments can also be made via twitter @CommEmpower

Additional points from each of the workshops

1. Right to request to participate in processes to improve outcomes of service delivery

Scene setting

- *Give communities power to instigate processes to participate*
- *Community bodies asked to provide details of what knowledge, expertise and experience they can bring*
- *The authority must decide whether to agree to or refuse the participation request*
- *The suggested criteria to be used by public service authority is included*
- *A definition of a community body is suggested*

Summary key points from the discussions:

- ✓ Being able to work in partnership to deliver services would be beneficial for all
- ✓ This provides a real opportunity for communities to be listened to
- ✓ People need to be kept involved over a longer time-frame
- ✓ Training and support are needed to enable community groups to participate
- ✓ The community must receive regular feedback
- ✓ Communities also need a right to information before they can consider participating

How could these proposals benefit your communities? / What opportunities do they create for you?

- Things only happen when communities are involved – they have local knowledge of what areas need
- The community can suggest how to improve service delivery
- Being able to have knowledge of the best ways to engage with community and local services
- A key mechanism of participation is agenda setting
- How can we get structures to ensure services are delivered in the best possible way?
- To be able to be listened to
- Better accountability
- Opportunities to involve communities in restructuring services
- Ability to work in partnership to deliver services

What support would you need to be able to make your case?

- Need *right tools* to request to participate
- *Knowledge of processes*
- *Training* – community empowerment – understanding community right to request to participate in processes – need to understand processes – proper training for community representatives
- Better *communication* – knowing who to contact
- Need *good working relationships and partnership* with public services and local organisations and communities
- Communities' role in service provision needs to be facilitated
- *Structures need to be improved* and better support provided to allow communities to be able to participate in service delivery

- *Improved communication* with ethnic minority groups
- Communities need support – *better information* re service provision

Other points

- ✓ Increased knowledge of structures is needed for communities to meet with councillors and service providers
- ✓ Changes to service provision can lead to confusion
- ✓ Arms Length External Organisations (ALEOs) should be accountable to the community for their decisions on local services – through Community Planning Partnerships or by other means
- ✓ The Bill says that refusal of requests to participate have to be ‘transparent and reasonable’ – is that final or should there be ways of appealing or coming back with stronger support from more community bodies?

Which issues do you want to have your voices heard on?

People identified a wide range of topics and concerns which they believe communities should be able to participate in:

- | | |
|--|--|
| ○ Transport – changes to bus routes specifically | ○ Alcohol licensing - issue regarding provision |
| ○ Health issues | ○ Planning enforcement |
| ○ Health Centres | ○ Overall standard of delivery of services |
| ○ Parks | ○ Provision and funding for the older generations |
| ○ Cleansing | ○ Safety |
| ○ Closure of police stations | ○ Landlord register enforcement – private rented sector services (not just social rented sector) |
| ○ Social work services | ○ Tackling anti-social behaviours |
| ○ Issues re disabled people | ○ Minority ethnic participation |
| ○ Road repairs | |
| ○ Traffic signage | |
| ○ Affordable meeting room hire | |

2. Strengthening Community Planning & Embedding the Outcomes Approach in Legislation

Scene setting

- *Increase emphasis on the planning and delivery of outcomes*
 - *...can no longer be considered something that local authorities are responsible for taking forward alone and will shift the balance between participation and contribution of the council and other partners*
 - *Core duties to include consulting and engaging with communities in identifying and prioritising the outcomes that are to be delivered and ensuring that community engagement is properly planned, resourced and integrated across partners*
-

Participants were asked how best should Community Planning Partnership's (CPP) support effective community engagement and what needed to happen to ensure that community engagement would be properly planned, resourced and integrated across partners? The following points were agreed by participants as being the most pertinent:

Support and capacity building

- ✓ Community capacity building needs to be prioritised
- ✓ Supporting partners to engage
- ✓ Support, funding and help to facilitate representation
- ✓ Training on structures
- ✓ Training for all partners
- ✓ Induction training on structures
- ✓ Provide the capacity / resources to participate

Land use and broader planning issues

- ✓ Land use planning should be joined with Community Planning
- ✓ Community Planning is the mechanism – physical planning should be included

Equality of relationship

- ✓ Demands should be placed on groups – citizenship and involve communities in developing plans
- ✓ Power should shift to ensure equal parity across partners including communities
- ✓ Equal parity for the community with agencies is needed

Culture shift

- ✓ Cultural shifts and attitudinal changes are required
- ✓ Attitude change – some partners should recognise that communities' gaining power means sharing power
- ✓ Let the community lead on attitude change
- ✓ Service providers i.e. partners, should have regular dialogue with people who use their services

Partners

- ✓ The presence of all public sector organisations is required
- ✓ Wider support across CPPs should be built for effective community engagement
- ✓ Legal obligations should be placed on all community planning partners to fulfill community engagement

Reaching and engaging people

- ✓ How do we get to the missing people e.g. those considered hard to reach?
- ✓ Increase participation of young people / ethnic minorities
- ✓ Minorities should be approached so their views can be brought in
- ✓ A series of events should be held involving people in making decisions – charettes?
- ✓ Focus on face-to-face engagement – dialogue with people – make it interesting – raise awareness
- ✓ Get people more involved – support to be more pro-active
- ✓ Should be an obligation for meetings to be more accessible - not just held during the day

Resources

- ✓ Clarity needed on spending budgets
- ✓ Community engagement needs to be properly resourced and taken forward
- ✓ Create a culture – provide resources

Other comments and ideas

In addition to these comments, several other issues emerged which are worthy of inclusion.

The active participation specifically of **young people** in Community Planning processes was suggested as being a means to strengthen local communities. Links could be created with schools and active Citizenship initiatives.

The **support needs of Community Councillors** were also raised. Community Council members should receive training on local Community Planning Structures as well as on how best to engage and communicate with their wider communities. Community Councils should take more responsibility for explaining what they are doing.

3. Community Rights to Property & Community Right to Buy

Scene setting

- *Give communities a more proactive role in identifying public sector land and buildings they would be interested in owning or using*
- *The Community right to buy land would be extended to urban areas*
- *A definition of a community body is suggested*
- *A list of which public bodies these apply to is included*

The Right to Buy or transfer of land and buildings were overwhelmingly identified as major issues for participants' communities.

A large majority of participants also thought that there should be a compulsory power for communities to buy neglected or abandoned land in certain circumstances.

People acknowledged that the existing rural Right to Buy works. It has helped make communities stronger.

Key points from the discussions

- ✓ The processes need to be made easier for communities
- ✓ Local political support is needed
- ✓ A register of ownership / public register of assets is required - this needs to be in the legislation
- ✓ There should be a time bar on ownership of derelict land / buildings
- ✓ A time limit is important – 5 years is suggested
- ✓ Communities should have the first option to buy or lease
- ✓ Owners should forfeit their rights if they do not respond
- ✓ Public land and buildings are much easier to negotiate over than privately owned property
- ✓ Communities have to be involved earlier – before buildings become derelict
- ✓ Derelict property causes community safety issues
- ✓ Costs escalate as buildings decline
- ✓ Compulsory Purchase Orders (CPOs) can be very difficult – legal issues, even non-contested
- ✓ CPOs are needed for private assets
- ✓ Buy outs must demonstrate good use of property
- ✓ The sustainability of any 'Community Bodies' which take over assets needs to be established

Communities' Support needs to be able to take up such opportunities

- Independent advice from a third party is necessary
- Business planning help
- Partnerships should be built between Community Bodies and Local Authority
- Co-ownership and/or leasing options can be better
- Peer networks should be encouraged – economy of scale means some communities are isolated
- Could the local authority act as guarantors?
- Full information on condition of land and buildings needed – mineshafts etc.
- Legal / business / funding support needed
- Development Trust Association – could provide support?
- There are already grants available for consultancy from The Big Lottery

Other issues and ideas

- Locating owners is often not easy
- 'Land banking' is happening in communities – it is costly and time-consuming to find owners
- Legislation may curb properties being abandoned
- Scrutiny arrangements are required on community bodies (CBs) – where will finance come from – sustainability issues – what happens if CB folds?
- It is difficult to get derelict buildings demolished – especially privately owned
- Rates on empty commercial property should be increased

4. Allotments

Scene setting

- *The provision of allotments by the local authority should be linked to and triggered by demand*
 - *Local authorities will be under a duty to take steps to keep their waiting lists to below a set target*
 - *Proposed duties and powers are included as are suggested regulations*
-
- Local authorities already possess powers to acquire land - these existing powers should be utilised and used more appropriately
 - Allotment provision should be linked to Right to Buy extension and asset transfers
 - If allotments are to be given permanent long term leases, then so should community gardens
 - Many tenants' and residents' groups can demonstrate good practice in establishing community gardens
 - Everyone has right to a standard size plot of 250sq m – these can be halved / quartered by agreement with an allotment association - many people only want 125sq m / 60 sq m – and should have an option to choose
 - The health benefits of allotments and growing spaces need to be stressed
 - Various legal statuses of community bodies should be considered appropriate for transfers:
 - Company Limited by Guarantee
 - SCIO – Scottish Charitable Incorporated Organisation
 - CIC – Community Interest Company
 - Structured planning and induction training are needed if Community Councils are to take on assets
 - Clarity is required about who to communicate with and who is responsible within local authorities
 - Having dedicated staff with clarity of roles / purpose can help greatly
 - Training / on-going support should be provided to communities
 - More meaningful consultation is required

Allotments

Proposed duties

1. Local authorities must maintain a waiting list which should be regularly reviewed and kept up to date. Any resident expressing a wish in writing to their local authority to have an allotment should be treated as a request to join a waiting list. The local authority must acknowledge this request in writing within 28 days.

2. Local authorities have a duty to produce and publish an annual report which will include:

- Tenancy, size and rent of all let and un-let allotments.
- Size of waiting list.
- Where necessary, details of all steps taken to meet demand for allotments and keep their waiting list below the statutory target.
- Financial report (statement of income and expenses).

3. Local authorities have a duty to produce and publish regulations as necessary for regulating the letting of Allotments under this Act and must provide a free copy on request.

4. Local authorities have a duty to produce a Food Growing Strategy which will include:

- A list of local authority and non-local authority owned land that has been identified as potential land for allotment sites and other forms of community growing.
- An assessment of suitability of potential sites and production of a plan for future provision of allotments, community growing and related facilities.
- Allotment and community growing requirements for inclusion within new developments.
- Commitment to providing allotment sites within a timeframe determined and specified by the local authority.
- Details of any maintenance requirements on existing sites.

5. A permanent allotment site situated on local authority land is to be protected from closure except in limited circumstances.

6. Other areas of the existing legislation will be updated and consolidated. These include:

- Retaining a duty to provide access to allotments.
- A duty to make any suitable local authority owned buildings available for allotment meetings.

Proposed Powers

7. Land belonging to a local authority not immediately required for the purpose for which it was acquired can, if suitable, be used for the temporary provision of allotments.

8. Local authorities have the power to incur expenses for the purpose of promoting the proper cultivation of allotments, including the promotion of allotments and training.

9. Local authorities have the power to delegate authority of allotments to an appropriate allotment association or group with the landlord retaining the overall responsibility for the site.

- Levels of responsibility of the association or group to be determined by the local authority.

10. Other areas of the existing legislation will be updated and consolidated. These areas include:

- Retaining and updating a power to compulsory purchase and lease land for use as allotments.
- The definition of a "fair rent".
- Retaining the power to enter, adapt and let unoccupied land for use as allotments.
- Retaining a power to improve, adapt and maintain land for letting as allotments.
- Retaining a power to remove unauthorised buildings.

- ***Do you agree with this list of local authority duties and powers?***
- ***Would you make any changes to the above list?***

5. Common Good

Scene setting

- *New statutory duty on local authorities to establish and maintain a register of all property held by them for the common good*
- *Require local authorities to consult with community councils and other community bodies when establishing the register*
- *Require local authorities to consult community councils and other community bodies about the disposal and use of common good assets*

“We have not sought to define common good in these draft provisions. We are aware that some people think that this would bring greater clarity to identifying common good assets. However, at this stage our view is that there are significant difficulties in framing a satisfactory definition. The risk is that such a statutory definition might not cover all existing assets which are currently considered to be part of the common good (and might cover things which are not currently included). As such, an attempt to create a new, statutory definition of common good could inadvertently lead to communities losing common good assets.”

Only one very small group addressed this topic, hence there are fewer comments.

Key points from the discussion

- ✓ A legal definition of Common Good is required and written in clear language.
- ✓ Training to take on and maintain assets is required
- ✓ Greater transparency is needed to create meaningful engagement

Other comments

- A Common Good Register – could / should be used by and ‘against’ local authorities
- Assets should include buildings, land and people
- Glasgow Common Good Asset List is not currently adequate or accurate
- Capacity Building is required to support communities take on any Common Good Assets

Local democracy

Scene setting

- *A commitment is made to local autonomy, self-determination and governance*
 - *Promotion of local democracy principles to benefit communities*
-

The Scottish Government's consultation paper only poses one very general question about local democracy, so questions from *The Commission on Strengthening Local Democracy* which has been set up by Convention of Scottish Local Authorities (CoSLA) were used.

An overwhelming majority of the participants in this workshop do not think that decisions about local issues and services are made locally enough in Scotland at the moment.

Key points from the discussions

- ✓ Meaningful local dialogue takes time to undertake
- ✓ Resources are needed
- ✓ Communication and feedback needs improved – various mechanisms should be used
- ✓ Interest in being involved should be stimulated to identify local issues

What does deciding 'locally' mean to you?

- Local Community Planning Partnership (LCPP) Board level
- Elected member balance
- Good partnership at former Community Planning Partnership level
- 'Local' depends on issue discussed
- How much local people listened to – not acted on
- Influence on agendas – time to consult
- Subsidiarity – local decision making by local people at appropriate local level
- Local dialogue – local networking especially ethnic dimension

What do you think should be done to strengthen local democratic decision making in Scotland?

Do you have any ideas or examples about how this could improve people's lives?

- Regular elected member attendance at Community Council meetings
- Decisions need to be transparent in local areas
- Trust needs to be built
- Clarity of purpose for communities:
 - what do we want to achieve?
 - prioritisation / issues / focus
 - how will effectiveness be assessed?

- Structures:
 - One size does not fit all
 - The effectiveness / representativeness of Community Councils needs to be addressed
 - Work across boundaries should be encouraged
 - Terms Of Reference should be created to clarify roles + responsibilities

- Community cohesion
 - Dialogue across groups and sectors should be promoted
 - Managing disagreement within communities is required
 - Cross agency dialogue should be facilitated by public agencies

- Decision making can challenge the representativeness of views
 - Representation is needed at all levels
 - If we were a 3 storey tenement, there's often a gap in the middle

Scene setting / key points for the workshop discussions

The following bullet points are designed to help introduce you to the main points in the Bill. They are deliberately designed to only give a flavour of what each section is proposing. For more detail than we can discuss today, please see the Scottish Government's consultation documents on line at:

<http://www.scotland.gov.uk/Publications/2013/11/5740/downloads>

<https://consult.scotland.gov.uk/community-empowerment-unit/cerb/consultation>

Community Rights to Property & Community Right to Buy

- Give communities a more proactive role in identifying public sector land and buildings they would be interested in owning or using
- The community right to buy land would be extended to urban areas
- A definition of a community body is suggested
- A list of which public bodies these apply to is included

Community right to request to participate in processes to improve outcomes of service delivery

- Give communities power to instigate processes to participate
- Community bodies asked to provide details of what knowledge, expertise and experience they can bring
- The authority must decide whether to agree to or refuse the participation request
- The suggested criteria to be used by public service authority is included
- A definition of a community body is suggested

Strengthening Community Planning & Embedding the Outcomes Approach in Legislation

- Increase emphasis on the planning and delivery of outcomes
- ...can no longer be considered something that local authorities are responsible for taking forward alone and will shift the balance between participation and contribution of the council and other partners
- Core duties to include consulting and engaging with communities in identifying and prioritising the outcomes that are to be delivered and ensuring that community engagement is properly planned, resourced and integrated across partners

Subsidiarity & Local Decision-Making

- A commitment is made to local autonomy, self-determination and governance
- Promotion of local democracy principles to benefit communities

Common Good

- New statutory duty on local authorities to establish and maintain a register of all property held by them for the common good
- Require local authorities to consult with community councils and other community bodies when establishing the register
- Require local authorities to consult community councils and other community bodies about the disposal and use of common good assets

Allotments

- The provision of allotments by the local authority should be linked to and triggered by demand
- Local authorities will be under a duty to take steps to keep their waiting lists to below a set target
- Proposed duties and powers are included as are suggested regulations

Community Empowerment Bill Consultation

14 December 2013

Steve Brown

Purposes for today

- o An opportunity to discuss and consider elements of the proposed Community Empowerment (Scotland) Bill
- o Enable you to go back to your communities and share others' thoughts
- o Support you to submit an informed response to the Scottish Government

Context

“Legislation in itself does not produce empowered communities”

- Previously Community Empowerment and Renewal Bill
- Builds on consultation processes in Autumn 2012
- Based on “supporting local democracy and decision making...focused on improving outcomes for individuals and communities across Scotland”

The bill will include:

- a new way for communities to take on public sector land and buildings
- opportunities for communities to be more involved in shaping and delivering better outcomes locally
- greater transparency in the management and disposal of the Common Good
- measures to streamline and extend the rural community right to buy
- new duties to strengthen Community Planning, so that public sector agencies work as one to deliver better outcomes for communities

Consultation covers three areas:

1. Draft legislative proposals
2. Detailed policy questions which have not yet been drafted in legislative language
3. New policy ideas on the organisation of local government

Argument that it is all the more important that we respond?

Linking key elements of the proposed bill

Communities' rights to request to participate

+

Community Planning Partnerships' duty to consult and engage with communities

Community Right to Buy

+

Local authority duty to produce a Food Growing Strategy which includes allotments and community growing facilities

Materials to help you further

- Scottish Community Development Centre (SCDC)
- Community Development Alliance Scotland (CDAS)
- Scottish Communities Alliance
- Scottish Communities Climate Action Network

Moving forward

1. Report from today with you by Friday 20 December
2. Government Consultation pdf and Questions available on line

Deadline 24 January 2014

Evaluation Results

- 65 attendees
- 47 evaluations returned
- 72% return rate

1. How would you rate the venue used for this event?

Very Good 60% Good 34% Okay 4% Poor 0% Very poor 0%

2. How would you rate Session 1 discussion group you were in?

Very Good 38% Good 43% Okay 13% Poor 4% Very poor 0%

3. How would you rate Session 2 discussion group you were in?

Very Good 32% Good 32% Okay 26% Poor 4% Very poor 0%

4. How would you rate the consultation event overall?

Very Good 26% Good 51% Okay 21% Poor 0% Very poor 0%

5. How would you rate the event in supporting your group/organisation's individual response to the proposed Community Empowerment (Scotland) Bill?

Very Good 21% Good 38% Okay 34% Poor 2% Very poor 0%