COMMUNITY EMPOWERMENT (SCOTLAND) BILL

Bill Number: SP Bill 52
Introduced on: 11 June 2014
Introduced by: John Swinney MSP (Government Bill)
Passed: 17 June 2015
Royal Assent: 24 July 2015

Passage of the Bill

The Community Empowerment (Scotland) Bill [SP Bill 52] was introduced in the Parliament on 11 June 2014. Stage 1 commenced on 25 June 2014, with the Local Government and Regeneration Committee as the lead committee. The Rural Affairs, Climate Change and Environment Committee also considered the provisions of the Bill related to its remit in detail at Stages 1 and 2. The Stage 1 (general principles) debate took place on 3 February 2015 and the Bill was passed following the Stage 3 debate on 17 June 2015.

Purpose and objectives of the Bill

The purpose of the Bill was to reform a range of policy areas relating to community involvement, including community planning, community right to buy land, involvement of communities in public service delivery, communities taking on public assets, allotments and the common good.

Provisions of the Bill

The Bill as introduced was split into eight parts:

- Part 1 aimed to provide a statutory basis for the use of “National Outcomes”.
- Part 2 contained a number of reforms to the system of community planning.
- Part 3 provided for a process to allow community bodies to become involved in delivery of public services.
- Part 4 made a range of changes to the community right to buy land.
• Part 5 provided for a process to allow community bodies to take on assets from the public sector.

• Part 6 made a number of reforms to the system of common good.

• Part 7 was concerned with allotments.

• Part 8 allowed local authorities to set their own reliefs for business rates.

Parliamentary consideration

At both Stage 1 and Stage 2, consideration of the Bill was split between the Local Government and Regeneration Committee (Parts 1-3 and 5-8), and the Rural Affairs, Climate Change and Environment Committee (Part 4).

The Local Government and Regeneration Committee focussed its scrutiny of each part of the Bill around three main themes. The Committee called for:

• increased accountability around engagement by public bodies;

• measures to ensure that all communities could take advantage of the Bill; and that it should not only benefit those communities “already empowered”; and

• that communities should be fully supported to be able to use the provisions in the Bill.

A range of amendments were agreed throughout the Bill at Stage 2 and Stage 3 to address these concerns. Additional parts were also added on supporter ownership of football clubs and on public participation in decision-making.

On Part 4, the Rural Affairs, Climate Change and Environment Committee focussed its scrutiny on how the Bill:

• should simplify the process of community ownership and make it less onerous; and

• proposed to extend the right to buy land and under-used assets, including neglected and abandoned land, to communities across Scotland.

A range of amendments were agreed throughout the Bill at Stage 2 and Stage 3, including a significant new section simplifying the Crofting Community Right to Buy, and extending the Community Right to Buy to include “Abandoned, Neglected or Detrimental Land”.

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