Community Empowerment (Scotland) Bill: Scrutiny of Financial Memorandum

The Scottish Parliament’s Finance Committee invites organisations and individuals to submit written evidence setting out their views on the financial implications of the Community Empowerment (Scotland) Bill.

The Bill

The Community Empowerment (Scotland) Bill (“the Bill”) was introduced in the Scottish Parliament by the Cabinet Secretary for Finance, Employment and Sustainable Growth on 11 June 2014.

The estimated financial implications of the Bill are set out in its accompanying Financial Memorandum (FM). A copy of the FM can be found at page 51 of the Explanatory Notes.

The Financial Memorandum

The FM states that the Bill “reflects the policy principles of subsidiarity, community empowerment and improving outcomes and provides a framework which will—

- empower community bodies through the ownership of land and buildings and strengthening their voices in the decisions that matter to them; and
- support an increase in the pace and scale of public service reform by cementing the focus on achieving outcomes and improving the process of community planning.

The FM states that it sets out the costs associated with the following parts of the Bill—

- **Part 1** places a duty on the Scottish Ministers to develop, consult on and publish a set of national outcomes for Scotland, which builds on the Government’s internationally acclaimed “Scotland Performs” framework.
- **Part 2** places community planning partnerships (CPPs) on a statutory footing and imposes duties on them around the planning and delivery of local outcomes.
- **Part 3** provides a mechanism for communities to have a more proactive role in having their voices heard in how services are planned and delivered.
- **Part 4** amends Part 2 of the Land Reform (Scotland) Act 2003, extending the community right to buy to all of Scotland, and introduces a new Part 3A to that Act to make provision for community bodies to purchase neglected and abandoned land where the owner is not willing to sell that land.
Part 5 provides community bodies a right to request to purchase, lease, manage or use land and buildings belonging to local authorities, Scottish public bodies or the Scottish Ministers.

Part 6 places a statutory duty on local authorities to establish and maintain a register of all property held by them for the common good and requires local authorities to publish their proposals and consult community bodies before disposing of or changing the use of common good assets.

Part 7 updates and simplifies legislation on allotments. It requires local authorities to take reasonable steps to provide more allotments if waiting lists exceed certain trigger points and ensures appropriate protection for local authorities and plot holders.

Part 8 provides for a new power which will allow councils to create and fund their own localised business rate relief schemes to better reflect local needs and support communities.

A table summarising the additional costs expected to arise as a result of the Bill’s provisions is provided on pages 52 to 60 of the FM.

How to submit evidence

The Local Government and Regeneration Committee is the lead committee with responsibility for considering the Bill’s policy provisions. It has issued a separate call for evidence and intends to take oral evidence later in the year.

The Finance Committee invites you to respond to the attached questions by **Friday 26 September 2014**. All responses should be sent electronically (in MS Word - no confirmatory hard copy required) to finance.committee@scottish.parliament.uk. Written responses will be handled in accordance with the Parliament’s policy for handling written evidence received in response to calls for evidence.

Should you have any queries in relation to this, please do not hesitate to contact the Committee clerking team on Tel: 0131 348 5451
Finance committee questionnaire

This questionnaire is being sent to those organisations that have an interest in, or that may be affected by, the financial implications of the Community Empowerment (Scotland) Bill. Estimates of the Bill’s financial implications are set out in its accompanying Financial Memorandum (FM), which can be found at page 27 of the Explanatory Notes.

In addition to the questions below, please add any other comments you may have which would assist the Finance Committee’s scrutiny of the FM.

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

3. Did you have sufficient time to contribute to the consultation exercise?

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?

Wider Issues

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?