

FINANCE COMMITTEE CALL FOR EVIDENCE

COMMUNITY EMPOWERMENT (SCOTLAND) BILL; FINANCIAL

MEMORANDUM SUBMISSION FROM SOUTH LANARKSHIRE COUNCIL

Consultation

Did you take part in the consultation exercise for the Bill, if applicable, and if so did you comment on the financial assumptions made?

1. Yes. The Council submitted a response to an initial consultation from the Scottish Government in September 2012 and a further response in January 2014. Comments were made regarding the costs and savings as a result of the proposals from the Bill as a whole, particularly around Asset Transfer Requests and Liability for Expenses under the Building (Scotland) Act 2003.

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

2. Yes.

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

3. Yes.

Costs

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

4. In relation to the costs associated with community capacity buildings, the Council considers that as councils will likely be responsible for managing the process of supporting participation requests, and the other key provisions on behalf of the CPP, additional resources should be provided to ensure that the appropriate level of support is in place. The Council already supports capacity building work, in particular in its most deprived communities. However, the provisions of the Bill will require additional investment, some of which could be sought from Community Planning partners to establish the appropriate structures. In relation to resourcing community capacity building / engagement, the Council considers that the Scottish Government should be providing additional resources to ensure CPPs are able to maximise the impacts of these Bill provisions. Additionally, the Council is working closely with CPP partners to develop a more strategic approach to community capacity building and engagement and this will require consideration of partner contributions in addition to the current Council investment into community capacity building / engagement structures and activity.

With regards to participation requests, the Council would like to highlight the wording for the criteria of a 'community body'. This seems to suggest that these bodies are not restricted locally and potentially national organisations could request to participate in setting priorities and in the design and delivery

of services. This potentially leaves the Council open to a vast number of requests and although we do not have to accept every one of these, there will be costs associated in responding to them. The costs to the Council of providing an outcome improvement process could also be substantial. With potentially a large number of community bodies to engage with on a more regular basis, the Council does not have the required budget in place to deal with this. If the outcome of the improvement process is that the Council has to markedly change the way in which it sets its priorities and delivers services, there again could be substantial costs in dealing with this. In challenging times, where savings are continually required to be met, the Council does not have the resources available to comply with these changes in the timescales set.

With regards to community right to buy land and asset transfer requests, the Council feels that where there is a building involved rather than land there are additional costs which arise from the Council having to retain the property off market such as empty property rates; insurance; security; utilities' bills; repairs and maintenance. In most cases the community organisation will be seeking a reduction in the price or the rental and there is a loss of income to the Council. However, it is the Council's responsibility under terms of the Disposal of Land by Local Authorities (Scotland) Regulations 2010 to ensure that any reduction in price or rent is clearly set against community benefits. Savings are more difficult to identify as each would depend on the specific proposal. There could be a saving if the alternative to asset transfer was demolition. There could be a saving in that maintenance and operational costs would be carried by the community organisation but these savings could also be achieved by a sale or lease on the open market.

In relation to the right of the Scottish Ministers to prescribe the size of allotments this will clearly impact on the cost to the Council since a prescribed size will mean that the Council will have to consider this when acquiring land. Clearly, the larger an allotment is the greater the cost to the Council. A size prescription may also mean more staff resources are utilised in identifying suitable land for allotment sites.

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

5. Yes, other than those detailed in Question 4 above.

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?

6. With regards to community planning, the Council feel that given councils will be responsible for managing the process of supporting participation requests, and the other key provisions on behalf of the CPP, additional resources should be provided to ensure that the appropriate level of support is in place.

With regards to participation requests, if the outcome of the improvement process is that the Council has to markedly change the way in which it sets its

priorities and delivers services, there again could be substantial costs in dealing with this. In challenging times, where savings are continually required to be met, the Council does not have the resources available to comply with these changes in the timescales set.

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?

7. With regards to participation requests, if the outcome of the improvement process is that the Council has to markedly change the way in which it sets its priorities and delivers services, there again could be substantial costs in dealing with this. In challenging times, where savings are continually required to be met, the Council does not have the resources available to comply with these changes in the timescales set.

Wider Issues

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?

8. Yes, however the Council would like to highlight the limited resources currently available to deal with these costs as mentioned in Question 4 above.

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

9. It is not possible to quantify at this stage.