Representations by Portmoak Community Council (PCC) on Community Empowerment (Scotland) Bill

Preliminary
PCC’s general comment on the bill is that it ignores the potential to use community councils as the elected representatives of their respective areas as the means of empowering those communities. It acknowledges the difficulty created by the fact that not all areas have a community council, but that is largely the result of their being seen as powerless and given (at least in Perth & Kinross) scant recognition by their Local Authorities. If given more concrete functions than they have at the moment there would be more interest in forming and joining Community Councils. For example the introduction of a “Community Controlled Body” into Part 3 of the bill is completely unnecessary in an area where a Community Council (which fits the definition of a Community Controlled Body exactly) is already in existence.

There is no common good asset in PCC’s area and so it has concentrated its attention on Parts 2 and 3 of the Bill.

Parts 2 and 3
An issue which affects both parts is the misuse of the word ‘outcome.’ Its dictionary definition is ‘result or consequence’ yet that is clearly not what it means in Part 2. It appears to be used as a synonym for ‘objective.’ Yet in part 3 it appears most of the time to be intended to convey its dictionary meaning. The clarity of the drafting would be much improved if the word ‘outcome’ were to be avoided and another word, appropriate in the context substituted.

Part 2
Community planning partnerships will consist of officials from councils and the various quangos mentioned. There is no community empowerment in that. They should also include representatives of the community councils in the local authority area by right and not by invitation. Other ‘community bodies’ without statutory authority to speak for their respective communities could still participate by invitation.

Part 3
A community controlled body should only fall within the definition of ‘community participation body’ if there is no community council in that particular area.

The definition of an ‘outcome improvement process’ is verbose and unclear. Should it not be simply ‘a process…established... with a view to improving the provision of a public service’?

In section 17(2) the reason for a request to participate will surely be that the provision of the service is seen to be inadequate, or simply capable of improvement, in some way. That should be stated in this subsection.