Local Government and Regeneration Committee

Submission Name: Meldrum Bourtie and Daviot Community Council

Community Empowerment (Scotland) Bill

The Scottish Parliament’s Local Government and Regeneration Committee’s Call for Evidence.

The Meldrum Bourtie and Daviot Community Council’s written submission of evidence addressing the Committee’s stated questions is as follows:

“1. To what extent do you consider the Bill will empower communities; please give reasons for your answer?”

A representative of Meldrum Bourtie and Daviot Community Council attended the National Conference on 6th May 2014 at which the keynote speaker was Mr Derek McKay MSP, Minister for Local Government. The conference provided an excellent insight into the proposed Community Empowerment (Scotland) Bill and allowed our delegate to meet other presenters and attendees who provided a great source further background information.

We were very disappointed to learn that the future of Community Councils is not addressed as part of this legislation, but worse still that there seems little appetite to change the status quo.

The only “Empowerment” that the Bill will provide for Community Councils is, “a new statutory role in relation to the common good, recognising their important role as voices for local communities”.

The “common good” is not defined in the Bill because “at this stage our view is that there are significant difficulties in framing a satisfactory definition”. Suffice it to say that the common good is comprised of property and funds which have been bequeathed to the Council for the benefit of all its citizens.

So in a nutshell, we get to have a say on what already belongs to us anyway.

One question asked of the Minister was if this “so-called Empowerment Bill” was just a means of validating the principle of independence, in that what is good for Scotland was also good for Scotland’s individual localities independence within Scotland. The Minister’s response was to laugh it off by suggesting that some cynical people would obviously see it this way, without actually giving a straight answer. He is a politician, after all.

The Minister made very few references to Community Councils but for us his most telling comment was his dismissal of any idea that Community Councils should be given any further powers at present, because they are largely unelected and therefore unrepresentative generally of their communities. We were promised a copy of his speech after the event but this has not been forthcoming. We therefore requested a transcript and were advised by email on 15th May 2014 that,

“Unusually, the Minister spoke off-the-cuff at the conference last week, with minimal handwritten notes and without an official writing his speech. We have been advised by his office that they are unable to provide a summary in this case”
It is we feel a lost opportunity to finally devolve power to the communities via the long-established framework of the Community Councils.
We also feel that the COSLA Commission on Strengthening Local Democracy gives a fair answer to this question.

The interim COSLA Report makes very interesting reading, but again fails to tackle the potential (or in some cases lack of potential) of Community Councils. This is very surprising, as the most startling fact is that Scotland has the most centralised government system in Europe. This is illustrated on the table below (Figure 1).

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of municipalities</th>
<th>Median Population</th>
<th>Sq. km</th>
</tr>
</thead>
<tbody>
<tr>
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<td>380</td>
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</tr>
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<tr>
<td>Scotland</td>
<td>32</td>
<td>115000</td>
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</tbody>
</table>

Figure 1 Source - [http://bellacaledonia.org.uk/2011/09/29/beyond-centralised-power/](http://bellacaledonia.org.uk/2011/09/29/beyond-centralised-power/)

The full text of the report makes an interesting read, and can be found here: [http://www.localdemocracy.info/2014/04/24/time-to-reverse-50-years-of-centralisation/](http://www.localdemocracy.info/2014/04/24/time-to-reverse-50-years-of-centralisation/)

[Our Community Council was invited to send one member to this forum, but due to an overwhelming response, the invitation was reduced to one per Local Authority Area in attendance and one on a web-inar]

Prof Richard Kerley was also a speaker at the National Conference on 6th May 2014 and he concluded that Community Councils should not be simply given more grants by “higher authorities” but should be given more power and the associated accountability. That way they would become more representative and the funding would follow. Either do this or “just kill them off”, was Prof Kerley’s conclusion.

On this same subject, Donald Manford of Voluntary Action Barra & Vatersay a delegate to the Conference, spoke to the floor when responding to the speakers about the centralisation of Scottish Government, “Don’t be fooled into thinking that there is anything “Local” about Local Authorities”. [Donald Manford is also the elected member for Barra on the Western Isles Council.]

Empowerment = Give (someone) the authority or power to do something (Oxford English Dictionary)

It is clear to us that Local Authorities have no intention of relinquishing any of their true power and the Community Empowerment (Scotland) Bill as it stands will not change this in any way.
“2. What will be the benefits and disadvantages for public sector organisations as a consequence of the provisions in the Bill?”

Meldrum Bourtie and Daviot Community Council is not a public sector organisation so, we cannot state what the views of Local Authorities might be.

From the Community Council’s perspective the Community Empowerment (Scotland) Bill would appear only to be a means for providing an avenue for Local Authorities to dispose of assets only when they see a benefit of saving costs by transferring the responsibility of those assets which are becoming a burden to their finances.

The “disposing” of Local Authority assets for the benefit of the Local Authority rather than truly for the benefit of the Community seems to be embodied in the two actionable parts of the Bill:

PART 4 - COMMUNITY RIGHT TO BUY LAND
PART 5 - ASSET TRANSFER REQUESTS

“3. Do you consider communities across Scotland have the capabilities to take advantage of the provisions in the Bill? If not, what requires to be done to the Bill, or to assist communities, to ensure this happens?”

There is very little evidence of any appetite for Community Council reforms in the Community Empowerment (Scotland) Bill, so the only course of action is for Community Councils to learn how to lobby those in actual power more effectively. In some areas of Scotland there is very poor engagement between Community Councils, their communities, and their Local Authorities, in some cases leading to the disbandment of them entirely.

Reform should start at home and Community councils should be encouraged by Scottish Government to strive towards better representation by involving people throughout the community, especially younger people.

The “Seven Principles of Representation” as laid out in “The Principles of Representation: A framework for effective third sector participation” published by the Cabinet Office. 

This would be a more tangible way of Community Councils gaining more credibility and then empowerment would be the next rightful step.

The “Seven Principles of Representation” are:

1. Accountability – clearly defined responsibilities for all decisions and actions
2. Equality – place equality, diversity and inclusiveness at the core of what you do

3. Leadership – the sector’s representatives will need to think and act strategically

4. Openness – be as open as possible in all your dealings and relationships

5. Purpose – be clear about the local sector’s objectives and support them with a strong evidence base

6. Sustainability – ensuring the continuation of the collective voice

7. Values – identify and build on the values of the local sector

There are many occasions where the Local Authorities and Community Councils should be working together but end up working at cross-purposes. There must be mutual respect and this should be fostered by Scottish Government.

“4. Are you content with the specific provisions in the Bill, if not what changes would you like to see, to which part of the Bill and why?”

As a Community Council we see very little benefit to us or to our community. The Bill does not “Empower” any of us in any meaningful way. All the true “power” remains with Central and Local Government.

The worthy principals currently being championed by the argument for Scottish Independence from the UK should logically be passed down the line to allow our community independence from a centralised government in Edinburgh and the “Local” government, in our case based in Aberdeen.

“5. What are your views on the assessment of equal rights, impacts on island communities and sustainable development as set out in the Policy memorandum?”

Equal rights are very important to us and it is good to see that the often forgotten and voiceless members of our being provided with an opportunity to have their say. It has to be said though, that this is not true empowerment, simply a better means of lobbying those actually in power.

We are not an Island Community, so we have no views on the impact on Island Communities.