LOCAL GOVERNMENT AND REGENERATION COMMITTEE:
COMMUNITY EMPOWERMENT (SCOTLAND) BILL
SCDI is an independent and inclusive economic development network which seeks to influence and inspire government and key stakeholders with our ambitious vision to create shared sustainable economic prosperity for Scotland.

For more information on this response please contact the SCDI Policy Team at

1 Cadogan Square
Cadogan Street
Glasgow
G2 7HF

e ashleigh.mclennan@saldi.org.uk

t 0141 222 9727
Local Government and Regeneration Committee on the Community Empowerment (Scotland) Bill

Q1. To what extent do you consider the Bill will empower communities, please give reasons for your answer?

1) SCDI is an independent membership network that strengthens Scotland’s competitiveness by seeking to influence and inspire government and key stakeholders with our ambition to create shared sustainable economic prosperity. SCDI’s membership includes businesses, trade unions, local authorities, educational institutions, and the voluntary sector.

2) SCDI welcomes the Community Empowerment Bill, and agrees it provides a legislative framework which supports the empowerment of communities through provision of powers to take ownership of land and buildings and request rights in relation to property and services.

3) These mechanisms can be considered necessary to support the pace and scale of public service reform required by ongoing budget restrictions. By 2013-14 only 40% of cuts to the Scottish Government’s resource budget have been undertaken, and the rest are expected between now and 2017-18\(^1\). This reduction in spending is compounded by increased need, caused by the economic downturn itself and the effect this had on pay and opportunities, as well as longer-term demographic issues which will increase pressure on services. As such, it is no longer possible to continue providing the same services with less resource. We must instead find new, innovative ways to provide the services communities need, and the Community Empowerment Bill supports this.

4) Alongside the Bill however, communities will also require some form of capacity building or support service if they are to access these new opportunities and use them to their full effect. Likewise, public bodies must be supported by guidance in order to effectively assess and respond to requests by community groups around property and services.

Q2. What will be the benefits and disadvantages for public sector organisations as a consequence of the provisions in the Bill?

5) Communities can be considered experts in their own needs and by enabling greater input into service planning and delivery, the public sector may uncover innovative delivery mechanisms which more effectively meet their service users’ requirements.

6) The provisions around community rights in relation to property and participation in outcome design and service delivery could provide an efficient mechanism to deal more effectively with the requests which public bodies already receive and respond to. Where community bodies take on ownership or maintenance of assets which previously

\(^1\) http://www.gla.ac.uk/media/media_286106_en.pdf
incurred costs to the public body, savings could be realised. However, some public bodies are anticipating high demand in the initial stages to request such rights which will have cost and resource implications. As such, it is essential that any new duties placed on public bodies must either be cost neutral or appropriately funded, and any significant changes in duties must also be subject to an appropriate notice period.

7) Likewise, community bodies should be able to appeal decisions where they have legitimate concerns around reasons for refusal, the application of significantly different terms and conditions from those specified in the request, or where no decision notice is given. Unfounded appeals, however, will have resource implications for all bodies involved. Clear and practical processes are required to minimise the propensity for burdensome disputes to arise, drawing resources away from service delivery and community capacity building.

Q3. 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?

8) While Scottish Government has articulated a clear desire for greater community ownership of assets and community led regeneration, the rhetoric may outweigh the ability of these groups to meet increased expectations and transform themselves into enterprising organisations in the continuingly difficult economic conditions unless appropriate organisational and community development support is provided.

9) The Big Lottery Fund’s ‘Growing Community Assets’ evaluation, for example, identified over-dependence on the same people, managing volunteers, and making the transition from voluntary organisations to social enterprise or other professional business structures as challenges that face projects as they develop. In addition, capacity between communities can be affected by the social and demographic make-up of the area, with more affluent areas likely to have greater access to pro-bono professional skills. These must be overcome in order to ensure the opportunities of the Community Empowerment Bill are realised.

Q4. 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?

10) As well as support effective community engagement, Community Planning Partnerships could also involve other important stakeholders in the community including businesses and the third sector. Part 2, Section 5 of the Bill states that each CPP must prepare a local outcomes improvement plan through consultation with (a) such community bodies as it considers appropriate, and (b) such other persons as it considers appropriate. ‘Other persons’ could include business; however, this should be expanded on in

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http://www.biglotteryfund.org.uk/-/media/Files/Research%20Documents/er_eval_gca_Yr5Final.pdf
guidance through recognition that business can have an important role in certain communities through employment opportunities and wider impacts.

11) Awareness amongst the private and third sectors of the Single Outcome Agreements at a local level is low – businesses have limited understanding of the process and Agreements or input into their development, despite their often vital role in delivering the outcomes. This tends to embed the belief that the public sector is alone responsible for service provision and delivery of the outcomes, and does not encourage attempts to draw on private sector finance into the provision of underlying infrastructure.

Q5. What are your views on the assessment of equal rights, impacts on island communities and sustainable development as set out in the Policy memorandum?

12) No comments.

Ashleigh McLennan
Policy Executive
Scottish Council for Development and Industry