LINLITHGOW & LINLITHGOW BRIDGE COMMUNITY COUNCIL

Community Empowerment (Scotland) Bill
RESPONSE TO CALL FOR EVIDENCE BY LOCAL GOVERNMENT & REGENERATION COMMITTEE

Please note that our response is limited to Points 1 and 4 as we, as a Community Council, consider these points most relevant to 'empowerment' in our local community of Linlithgow and Linlithgow Bridge.

**Point 1: To what extent do you consider the Bill will empower communities, please give reasons for your answer?**

We consider that the Community Empowerment Bill is built on the wrong premise and will not empower communities in any meaningful sense. As written, the Bill could in many respects be misinterpreted by some as “the Entrenchment of Central Government Control Bill”. It does next to nothing to advance the idea of subsidiarity at the local level.

Paragraph 191 of the Consultation to the Community Empowerment Bill states: “We also recognise that councils are the level of government closest to the citizen.” This is currently the situation - local authorities, albeit the largest and most remote in Europe, are indeed the level of government closest to the citizen. As stated forcibly by COSLA in its recent final report, Commission on Strengthening Local Democracy, this is not tenable for a modern state. Our own 'local' authority of West Lothian is much too large to cater, effectively and sensitively, for the different needs and aspirations of communities as diverse as our town of Linlithgow, ex mining towns like Uphall, Broxburn and Armadale and the burgeoning new town of Livingston. Of course, the situation is even worse in some of the larger councils, Highland Council covering an area larger than Belgium and a city like Glasgow having many times the population.

**Example 1: Housing**

There has been no social housing built in Linlithgow for nearly 40 years since the Town Council was abolished in 1975; indeed some council houses have been demolished and not replaced, despite a ten-year waiting list. A local council would be much more aware of the needs of the whole community – in particular the need to retain young people in employment in the town for the long term
economic health of the community. This clearly demonstrates disconnection between community and government.

Example 2: Planning
A recent planning application on the town's outskirts for the construction of 600 houses, supermarket and related development led to over 1,000 individual written objections submitted by local residents who were desperately worried that a decision on this project, to be taken by 33 West Lothian councillors of whom only 3 represent the Linlithgow ward, would be taken contrary to the likely recommendations of the planning officers and without proper regard to the needs of the community. There had been previous insensitive decisions which had caused concern. Such concerns are widespread throughout the country because the planning system is insufficiently 'local' in its democratic application.

Example 3: Linlithgow & Linlithgow Bridge Town Management Group
This body has representation from local groups, councillors and officers with a view to the implementation of town enhancement projects. However laudable are its aims, there appears to be little imperative on the part of West Lothian Council and its staff to implement decisions made by the group. Community input has frequently been ignored, thereby stifling the enthusiasm, energy and commitment of the true local community.

The Bill proposes that Community Planning Partnerships will take over the role of the local council in managing relations with the community – but it is near impossible to find anything in the Bill likely to produce that outcome. Community Planning Partnerships are no closer to communities than are Councils – and, judging by the proposals in the Bill, are never likely to be.

Nothing in the Bill indicates that communities will be empowered to undertake work on their own initiative; nor is any local authority likely to delegate any powers to local communities, whether within the scope of existing local organisations such as Community Councils or through any other lower tier of local government. This is confirmed in West Lothian where the recently revised Scheme Review for Community Councils rejects community councils taking action on their own behalf.

The extra powers that the Bill will give to Community Planning Partnerships will further tighten the rein that the Scottish Government has over the scope and flexibility of public services. Witness the centralisation of the Scottish Police Service – it should be evident that the policing of the large cities is very different from that from highland rural areas.

Point 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?

The specific provisions for extending Community Right to Buy, Asset Transfer and Common Good Property look appropriate. However the provisions for
National Outcomes, Community Planning and Participation Requests look to represent increased central government control through the strengthening of the Community Planning Partnerships: the latter in particular are formal organizations, the centrally-based staff of which, at least currently, have little connection with, empathy for, or knowledge of, local communities. In this respect we are not content.

As stated with reference to Point 1, the Bill makes no provision for further local democracy – for communities to decide and implement the priorities for their own areas. These will continue to be exercised by the existing ‘local’ authorities and their Community Planning Partnerships. In order that the local democratic deficit be addressed, we would like to see a provision for local communities to apply by petition to the Scottish Government for delegation of powers to local town or parish councils.

In this context, we refer to paragraph 12 of the Policy Memorandum:

Democratic Engagement

12. Local government and other public service providers increasingly use a range of community engagement and participatory activities to seek views on their service delivery. This recognises that representative democracy needs to be complemented by other ways in which people can express their views and influence decisions which affect them. Such activities can in turn inspire increased engagement with local and national government. When people are actively engaged in tackling issues in their communities, have direct contact with elected representatives and feel that they can influence decisions, they are more likely to become involved in the electoral process themselves, whether at Community Council, local authority or national level. This enhances the relationship between elected members and the communities they represent and can lead to better-informed decision making all round.

This paragraph is laudable but it would be so much more laudable if citizens were able to be responsible for managing and prioritising, through their own democratically elected bodies, what public services they need for the flourishing of their own communities.

Example 4: Party at the Palace
This was a ‘first’ for Linlithgow, a hugely popular event on Linlithgow Peel, organised from within the community, featuring high profile bands and performers. Welcomed by all across the town, not least local businesses and employers, its status as a repeat annual event has been thrown into doubt because of the attitude of West Lothian Council – not only did it not make a positive contribution but it actually threw up barriers and obstacles to seriously hinder the organisers.

Example 5: Burgh Beautiful Linlithgow
After winning the ‘Small Town’ category in the 2013 Beautiful Scotland awards, Linlithgow once again this year was invited to take part in the premier competition – Britain in Bloom. Although this initiative is largely driven and funded by the local community members, wholehearted council support might have been expected towards the Britain in Bloom entry, especially given that success in this prestigious event has the potential to promote Linlithgow as a
visitor attraction across the UK. Although some welcome help was in fact provided, there was a general corporate unwillingness to engage on the part of the council which led to extra work for volunteers and certain works being carried out too late for the benefit of the judges.

Example 6: Car parking in Linlithgow
A major irritant in Linlithgow is ‘parking’ – recently parking attendants were dispensed with and the problem of irresponsible parking was transferred to the police – but the police have no resources to tackle the problem. If Linlithgow had its own local council it could decide to provide funds for reinstating a parking attendant. Additionally, one or more central car parks could be run by the town for the town, proceeds being used to fund a traffic warden rather than being exported out of the community to the benefit of a remote private company.

Example 7: Heritage-based Tourism
West Lothian’s Single Outcome Agreement is targets a 16% increase in visitor numbers for its four key visitor attractions over the next four years - how much more appropriate would it be for Linlithgow itself, in liaison with Historic Scotland, establish its own figures and embrace the whole town to ensure that these figures are met.

Example 8: Heritage-based Charrette
Over the past couple of years, members of various community groups have been working with Historic Scotland to arrange a charrette to consider how best to capitalise on Linlithgow’s heritage, not least Linlithgow Palace, but also all the other heritage aspects of the town. Funding for the charrette was agreed in principle, subject to the presence of selected officers of West Lothian Council at the event. The Council refused to participate and as a result the opportunity was lost – sadly another example of remote disinterested, ‘local’ government failing to co-operate with active community members and losing an important opportunity for the development of tourism in the town.

End-Notes

Community Planning Partnerships
Community Planning Partnerships were introduced in 2003. The contributors to this submission have been engaged in community activities as members of Linlithgow Civic Trust, Burgh Beautiful Linlithgow, Linlithgow Business Association, Linlithgow Union Canal Society, Linlithgow Community Development Trust, Linlithgow Victoria Hall Trust and Linlithgow’s Community Magazine, as well as Linlithgow & Linlithgow Bridge Community Council – collectively a, very wide experience of working in the community. During these 11 years, through all these activities, we have never once heard of, or been contacted by, or had any form of communication from, even a single known member of the ‘Community Planning Partnership’, the only exception possibly being grant advice on one occasion. Nor does there appear to be any provision in the proposed Bill to remedy that deficiency with a view to establishing a real, live working connection between the local community and government.
**COSLA Report**

In our view, the recent final report of COSLA’s Commission on Local Democracy is founded on acceptance of the single most important concept of true community empowerment, and that is that there must be a ‘bottom up’ approach to the deployment of power in local communities. As stated above, the local communities should have their own powers to act over a specified range of services and activities within their own community. This is not revolutionary, it is the norm elsewhere in Europe and should be a central theme of the Community Empowerment Bill.

With reference to the contents of the COSLA Report when compared to the contents of the Bill, we find it difficult to understand why the claim is made that the two are working closely together, along with the Improvement Service, when the contents of the Bill and the COSLA Report are poles apart in terms of the way they address the issue of community empowerment. COSLA is radical in addressing the root of the problem, the Bill is at best superficial and, give or take some minor changes to property rights, amounts to little more than “steady as she goes”.

Unfortunately we were not aware of the Inquiry into the Flexibility and Autonomy of Local Government, but note now that no community representatives seem to have responded to the call for evidence, while many councils have. We would therefore assume that community councils were not invited to offer evidence – our community council is certainly not aware of an invitation – which at face value seems odd as it is the community that is on the receiving end of whatever powers ‘local’ government currently has. Interesting points could have been made under the first and second inquiry points at least.

‘**“Local” Government should get out of the way’**

Based on our experience of trying to get things done in Linlithgow, and what we have learned by listening to others in similar circumstances throughout Scotland, we would wholeheartedly agree with the above recommendation made in the COSLA Report referred to above, and identified in the Sir John Elvidge/Carnegie UK Report ‘A Route Map to an Enabling State’ as the number one step required to begin a process of community regeneration.

We have noted above several, cumulatively significant, examples in our town of how a ‘bottom up’ administrative and democratic approach would more sensitively meet the needs of our local community – an approach which is needed throughout Scotland. In addition, it would combat the current demoralisation of willing community activists and encourage creativity and innovation, to the great benefit of all concerned. Devolution of power to more truly local councils (of whatever nomenclature) is urgently required.

Linlithgow & Linlithgow Bridge Community Council
4 September 2014