Local Government and Regeneration Committee

Community round-table event, Dumfries, 27 October 2014

Notes of workshop sessions with community groups

MSP Chair – Mark McDonald MSP
Scribe – Allan Campbell

NB – these notes are not intended to be an exhaustive account of every aspect of the group's discussion, but are an attempt to capture the main points which arose.

The main points from the group's discussion were as follows—

Community Planning Partnerships

- Overall, area committees of the CPP seem to work well in Dumfries and Galloway, and have good community input and representation from the local area. But, consultation by the local authority is seen as patchy. In particular, participants were unsure how (if at all) results of consultations fed into council decisions, and often they were seen as "tick-box" exercises. Linked to this, it was suggested that a lot could be learned from what had previously worked well locally, and that often there was no need to "reinvent the wheel".

- There was a view that there needs to be more emphasis on how to empower communities, and to move more to public bodies working with communities – this would require culture change across the public sector. And, that having the right to do something in legislation (like participation requests, asset transfer requests) was very different to being actually able to do something.

Marginalised Communities

- Following on from this, there was a detailed discussion of the opportunities for "marginalised" communities to take advantage of the powers in the Bill. Without resources and support, the group wondered whether the new powers could exacerbate inequalities, as those affluent communities could take advantage of many of the Bill's opportunities while less affluent/able communities could possibly struggle. It was felt that there needed to be awareness-raising programmes on the Bill once in force, possibly on traditional/social media. Most important to helping marginalised communities use the powers was a clear, transparent process. Equally though, there needed to be management of expectations to go along with this, as it was recognised that not every project or request would be successful.

Community Councils

- Linked to this, there was some discussion of community councils, which while they were seen as generally working well, were very much populated by the "usual suspects", often older, affluent people who were not representative of the population, although they tended to be very committed to the role.

Asset Transfer

- The group also talked about current difficulties with the community asset transfer process, including one case which had been going on for 15 months. There was a feeling that the current processes were not working well, and hope that the Bill could help. However, there was some recognition that councils need to be careful in disposing assets as communities could take on overly ambitious projects. There was a feeling that, in terms of assets, it was better for communities to take on buildings that only needed minor physical improvements, rather than those that needed significant, major improvements. It was also noted that, if councils do unload assets with too many complex issues on to community groups then councils should be prepared to take them back.

- The group also discussed the Sustrans project currently on-going in Dumfries town centre, and the positive impact of that project on the local community.

Public Body Budgeting

- The group moved on to discuss the impact of budget reductions on public services. It was recognised that councils had, while budgets were increasing, provided a wide range of non-statutory services that people had got used to and now expected to continue. It was felt that there needed to be a more imaginative approach to budget allocations and that it was crucial that local people felt they could influence these decisions and that their voices would be heard. They also felt that council officers should recognise that they didn't always have the right answer.

Common Good

- There was also a detailed discussion of common good in the area, and the progress that had recently been made by one individual in driving through reform of the way in which the council dealt with common good issues.

- This led on to a discussion of the importance of committed people who were able to drive change and deal with council departments. However, without this, local people often felt frustrated and lost in trying to find the right person to speak to at the council about an issue. It was felt that generally a single point of contact would be useful, and the group was attracted to the Dundee system.

- Finally, the group also touched on allotments, and were keen to note the positive impact of allotments on physical and mental wellbeing in the community.

MSP Chair: Cameron Buchanan MSP

Scribe: Claire Menzies-Smith

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The main points from the group's discussion were as follows:

Asset transfers

- What is the position when an asset has been acquired but the membership of the body which acquired the asset dwindles – there should be some monitoring of the asset to ensure it is sustainable?

- There have been examples where a group has failed to ensure the viability of an asset and this has then been sold into private ownership for a nominal sum.

- It should be more transparent to the community which assets a public body holds. A publically available register would help in this respect.

- Needs to be dedicated support (named person) from the outset to those wishing to take over assets. Any person providing support should have sufficient knowledge. Had to speak to 17 people to get information on a single matter.

Community Planning Partnerships (CPPs)

- CPPs aren't the problem, it is engagement at local level. There is a disconnect with the middle management – they don't know what is expected of them.

- Needs to be a commitment from the very top (Chief Executive/Council Leader) for community involvement in decision making.

- Insufficient resources could be a barrier to meaningful engagement.

- Better use of existing resources is the answer.

- Consultation is difficult; it always end up being same active members in the community or in other words the "perennials".

- They are not engaging well, need to go to where people are e.g. supermarket, pubs.

- When consulting you have to manage the public's expectations.

- Needs to be an outcome from any consultation and the outcome has to be communicated properly so that people understand why their views weren't implemented.

- Council used to have monthly public forum meetings where people could put forward suggestions. Contributions were thoughtful and sensible. Now we have themed meetings so people cannot raise wider issues important to them.

- We want regular meetings where the public have an opportunity to address their councillors.

- Multi-member wards mitigate against local participation

- Community planning should be at local level and not strategic level.

- No easy explanation of how to engage with the council – meetings are publicised at the back of the paper in the public notices section – hard to find and not motivating.

Community participation

- Important to note that resource is not just about money, but people.

- "Need to find ways of keeping them fired up".

- Apathy from the general public – "what's the point it's a fait accompli".

- Activists need to be given support to provide peer support (possibly financial support to recompense for the time they spend away from their project).

- Take resources out of the council and into the community.

- Should be a duty on public bodies to provide support to participate

- Easy to engage primary schools, much harder to engage secondary pupils.

- Compared to the national volunteer rate of 29%, Dumfries has a higher volunteering rate – 36%.

- Number of small isolated communities who have to do things for themselves.

- Volunteering can't be taken for granted need to be given help: skills; resources; training and information.

Participation requests

- Without a constitution the system could be open to abuse, particularly if the group is seeking funding for their activities.

- Could be argued that the community council should take forward any requests.

- The right to make a participation request has to be publicised and information provided in the simplest form possible.

- Shouldn't need to be part of a group to make a participation request, as an individual - I should have a right to "lobby".

- There should be an appeal process – there should be a right to respond.

- Any appeal process should be independent of the public body.

Community right to buy

- Clear information is needed on the buying of abandoned or neglected land – this could apply to some housing schemes.

MSP chair: Kevin Stewart

Scribe: Jon Orr

NB – these notes are not intended to be an exhaustive account of every aspect of the group's discussion, but are an attempt to capture the main points which arose.

Main points from the group's discussion were as follows:

- Bill presents tremendous opportunities if local authorities think differently and innovatively. They need to show leadership and take responsibility for improving community engagement.

- Should the work be process driven?

- LAs work differently to one another and adopt different approaches. How will it be possible to ensure consistency across the country, so that the bill's aim to enhance community engagement is met?

- Past measures have included co-production and public private partnerships but what has happened to those approaches? Will the bill lead to further flash-in-the-pan measures?

- The regulations in place are a major stumbling block. They are interpreted differently, so different areas take different approaches. Some apply the regulations rigorously; others are more flexible in their interpretation.

- Some see the bill as an attempt to offload public services from councils to community or third sector organisations. That misconception needs to be tackled.

- Community groups are set requirements that are too rigorous. For example, a community group may lease part of a property and want to upgrade it and other parts of the property that are not in use, but it is not able to because it does not have ownership of the building.

- The community asset transfer process can be very lengthy – the timescales can be in years, but council personnel do not remain static. One group experienced a situation whereby the council contact changed each year. Although having a named person was welcome and valuable, time is invariably lost as the new person gets up to speed with the discussions. Therefore, the knowledge transfer process needs to be improved.

- DG One (A leisure and entertainment complex) is temporarily closed. Participants were unclear about whether the council had consulted let alone spoke to anyone on the matter; rather, it was thought that the matter was dealt with internally.

Improving community participation

- A need to change people's mindset. Most people do not want to engage - the referendum is the obvious exception - and it is not known how to energise them. However, the view was also expressed that, on the back of the referendum, there was the opportunity to enhance and encourage community-level engagement. Indeed, there was a need to tap into that enthusiasm to the benefit of all.

- Two interrelated issues are at play: the perception that the provision of many services is a council duty; and the desire on the council's parts to control the services. Indeed, it was considered that the council did not want to relinquish control as it considers that many of the services fall within its sphere of influence.

At the same time, the prevalent attitude among many was "I pay council tax, so why should I or another organisation get involved in providing that service?"

- There are high levels of fatigue among those who choose to participate, because they are not seeing the benefits of their work. That point must be recognised and dealt with.

- Loreburn hall was cited as an example of how community empowerment can work. People need to have the opportunity to engage and to have the confidence to ask questions and then pursue a course of action to its natural conclusions.

Community capacity building

- Giving people a helping hand and providing them with the relevant knowledge and training was seen to be vital.

- There is a big mismatch between community groups. Some are very confident – for example, the members may have a professional background and/or have a wider experience; while others lack that and do not have similar skills or life experiences.

- An area's demographics are important, because that may determine involvement.

- Some argued that having in place a formal process helps, particularly given the need to deal with formal bodies such as councils. However, there is a need to help people to take the initial step and inform them how to proceed.

Case study

- Young people wanted a skateboarding and BMX-ing park but had no idea how to progress the idea or what it involved. An initial group of 25 rapidly expanded to 245. With support, they learned, among other things, how to make presentations; they also designed their own website, and met an engineer to discuss their plans. Two and a half years and £180,000 later, the park was built.

- However, it took another group in Stewartry/Castle Douglas 10 years to achieve similar plans. Why? The levels of bureaucracy were completely different. Furthermore, given the area's demographics, it is possible that older peoples' views held greater sway, which led to delays.

Funding

- During the community learning and development review, groups were funded year on year, which is very disruptive – there is no ability to plan for the future. Furthermore, community involvement in the review was minimal, with only two and a half week consultation period, which took place over the October holidays.

Access to council information

- Groups need to know how to access council papers. They also need someone on the ground to explain the process and to help them to understand what questions they should ask.

Consultations

- Council consultations need to be full and honest. There is a feeling that only lip service is being paid by the council. Appropriate deadlines are also key. The driver for the council's single outcome agreement consultation was seen to be the council's need to set up the SOA by a specific time

- The local council asked residents where they should make cuts. However, that approach assumes knowledge of what services are provided. The reality is that people are, on the main, familiar only with those services that they access. Even so, it was considered that, post-consultation, the council was overproviding certain services. It was unknown what happened to people's input. Demographics are important, too, because they can skew the results in favour of certain groups.

Single outcomes agreements

In addition to the above:

- Community's/people's priorities are either not or only slightly reflected in SOAs.

- Many seem related to HEAT targets.

- Police ward plans should be the building blocks for the SOAs

- The council has its head in the sand. Is it simply taking on the Scottish Government's priorities or does it want to genuinely consult people? It needs to decide what approach to take and be honest about its decision.

- The SOAs may be, in part, relevant to the people, but they were not devised by the people.

- Example of council attitude: "The community will get a bucket of sand and like it." The council has no desire to let the community decide for itself whether it wants that bucket of sand and, if it does, to allow the community to put out that bucket of sand.

General points on the bill

- An idiot's guide on how to deliver the bill should be provided.

- Huge efforts may be required to get the help of someone (in the council, for example) who may not be that interested in what a community group wants. The bill should help to challenge that situation and make the process easier.

- The bill should shift the power balance away from councils to community groups etc and make councils more accountable to communities for the delivery of services. That would be a good thing, but a culture change is required to make that happen, and people need to be provided with the necessary skills to allow them to progress projects.

- Local council does not have a common goods registers, so the bill will be helpful in that regard.

Post-legislative scrutiny

- Only by carrying out this work will it be possible to determine whether the bill is having the desired effect. If authorities and/or councillors, for example, are not held to account, they will carry on as before and the historical lack of transparency and openness will continue.

The need to improve processes

- They are overly complicated.

- The profusion of committees. Committees are set up when none are needed – for example, to agree how to spend as little as £1,000. Where is the value for money? What cost benefit analysis has been carried out?

- Several committees dealing with the same issue. The example cited was that four committees deal with common good land. Not only is that wasteful, but it makes it extremely difficult for people to know who to talk to or to understand the subject.

Councils

- Council has an 80-page constitution. In what way is that accessible for the people?

- Councillors do not reflect the people in the community; they also seem to represent their own interests. For example, how budgets are devolved seems designed to make councillors popular in their areas, so the operating environment is one of pork barrel politics. In addition, some councillors appear to use budgets to fund their pet projects.

- Local authorities fund groups and third sector organisations. There is always a tension present and a fear about the consequences of rocking the funding boat. Groups need the confidence to be able not only to put in requests, but to do so without any fear of a backlash for making such requests.

- Elected members' responses to community groups and their ideas have included:

    "The community doesn't know what's good for it".

    "We can't let them try, because they will probably fail."

    "If we let them try, they might fly."

    The council and NHS are risk averse. A good example is the continuation of the belief – both by GPs and some members of the population – that general practitioners "know what is best for you." The system remains patriarchal and some people devolve power to the GP.

Reform

- Concern expressed about the constant restructuring of services, which was not necessarily beneficial and certainly not driven by local communities.

Young people

- Two pupils were at the table. They said that they have a school council, but council members do not seek pupil's views; rather, they have to approach the council. Therefore, there is much to do in the school environment to embed full and proper consultation.

- No work is under way to inform school pupils about the bill. That seems to be a missed opportunity. Given that many schools held referendum debates, perhaps pushing at an open door for the continued exploration of political issues. An idea would be to encourage debate on all major bills.

- It seems clear that early engagement would lead to a better understanding of community involvement and what can be achieved. The hope would be that pupils would take what they learn at school and be more actively interested in their community and participate in improving it.

Other points to note (and perhaps to research further)

- Dumfries and Galloway Council is working on a new lobbying council

- The Scottish Rural Parliament's inaugural meeting in Oban is taking place in the w/c 3 November. Norman McAskill, SCVO is heavily involved. Perhaps worth checking on whatever flows from the meeting as many of the themes discussed at the community event will be raised there, too. Perhaps also worth alerting RACCE committee clerks to the event, although I imagine that they know about it.

Air weapons etc

- Very little discussion took place as the group's interests lay in the Community Empowerment (Scotland) Bill. One person, who had air weapons experience, commented on air weapons. He was supportive of the bill.

- One general question was raised about whether the bill was restrictive or would allow local authorities the ability to interpret it flexibly, to meet the needs of local circumstances.

Chair: David Cullum

Scribe: Stuart Kay

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The main points from the group's discussion were as follows—

Community Empowerment (Scotland) Bill

Some communities are more able to participate than others.

- It is important to support communities to build capacity.
- Outcomes should be policed.
- Third sector interfaces have an important role in the process.
- Culture change is needed.

- There are five community councils in Dumfries, but how many of them are active?
- "Every community council has to come into the 21st century."
- There has been more engagement in local politics since the referendum, which could represent a big change.
- East Ayrshire Council looked at engagement **with** communities two years ago (not doing things **to** or **for** them), and it has seen a change in people's interest.
- It is important that community councils work together.
- In the arts, participation, venues, getting people engaged and artist-led rather than council-led initiatives are important.
- A concern about the bill is that bodies have to be incorporated. Perhaps its scope should be broader.
- The public sector must get into organisations.
- The council should have named persons in every community.
- There are problems with a lack of resources and "volunteer burnout".
- Whether participation requests make a difference to communities will depend on councils listening. Councils can cherry pick what they want to do.
- Local authority budget consultation can be about where people would like them to cut less.
- Are participation requests registered? It would be interesting to know how many are successful.
- The bill should mean a cultural shift. A more open culture to learning and improvement is needed.
- There are three allotment sites in Dumfries. People are interested in allotments, and there is a lot of spare land. Allotments bring many community benefits, such as local produce and clean air.
- The importance of land being used for community projects, such as land art projects, was discussed, and the Summerhill land art project was referred to.
- The bill should reach more widely, beyond allotments. It is too restrictive. It is up to communities what they want to do with land.
- Burdens on local authorities should be reduced through meaningful and sustainable projects.
- People who live in the centres of towns need access to land, and there are plenty gap sites.
- The difficulties of converting agricultural land, which could be used for the community, were discussed.
- On common good property, the point was made that consultation can be tokenistic, and there is the issue of accountability in large areas.
- The possibility of community councils vetoing local authority decisions was discussed.
- A register of who owns what is needed.
- Community councils are the most directly accountable bodies for communities.
- It is important to publicise proposals.
- Hard decisions are ahead, and everybody must work together.
- More open, efficient and streamlined common good processes are required.

- Councils have a duty of care for buildings.
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Air Weapons and Licensing (Scotland) Bill
- It is estimated that there are half a million air weapons in Scotland.
- Respondents to the consultation tended to be those with an interest in opposing the proposals.
- Black cabs are expensive and are preferred in the NHS, for example. They have prestige and the service is skilled.
- In Edinburgh and Glasgow, black cab drivers must pass a knowledge test, but is that required?
- There are no wheelchair-accessible taxis in the area, which is a gap in the service.
- There are different taxi regimes across the country. The question whether there should be consistency was raised.
- Many cultural organisations in the area are not in traditional venues and there is a six-month turnaround for licences. Temporary and quick licences are needed.
- If six different events take place over a year—perhaps in the open air—it would be good to get an overarching licence for them.
- It is important to make Dumfries more vibrant by granting entertainment licences.
- A coherent approach to licensing is needed.
- In rural areas, many events go on "under the radar". Processes should be as flexible, understandable and simple as possible.
- The question whether an entertainments licence should be attached to the venue or the organisation was raised.

MSP Chair – Stuart McMillan MSP

Scribe – Seán Wixted

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The main points from the group's discussion were as follows—

Community Planning and Community Councils

- Considering the role of community councils, the Community Empowerment (Scotland) Bill ("the Bill") doesn't empower communities. If we want it to empower we should give Scottish Community Councils the same powers as English ones such as the power to raise their own money etc;

- On the reform of community planning in the Bill; there was concern that community councils are not really representative of their communities, in terms of age, gender, ethnic profile, social and employment status and minority groups;

- There are too many community councils. For example there are over 150 in Dumfries and Galloway ("D&G") of which only about 87 are active. Most are very poorly attended by the councillors and public;

- Part of the reason for this is that community council have such little power, no one is motivated to attend;

- There was concern that D&G Council doesn't consult with community councils when its undertaking work which affects their communities and which they get complains about;

- The was a feeling community councils should focus on the major issues which affect their local communities such as care of the elderly, rural housing etc, not small village issues or parish pump politics;

- There is a lack on knowledge by community councils about their power or duties and how they are exercised. They also have too few resources to do their current role;

- One issue which hampers community councils is the fact that the media don't address major policy issues which affect people (like care for the elderly, rural housing provision) in an accessible way. Instead they focus on small issues which are easy to report on, so that what is raised in the minds of the community and they focus on;

- There is a need to give some consideration to the introduction of a minimum ratio/size of population to practically support a community council. Often they are made up of older retired people as they are either the only ones with the time, or are over represented in certain communities;

- Another point was made about the fact that D&G may have the smallest ration of people to community councillors in Scotland this that many villages and communities in D&G are not covered by a community council at all;

- Younger people are especially underrepresented on community councils;

- The debate focusses too much on the structure of community councils and other bodies, when it should focus on how the community is engaged with;

- More creative ways need to be used to engage by community councils and the community, but also this needs to include development trusts and 3rd sector groups;

- There was a strong feeling the community councils need to be rebranded for the 21st century to attract a more representative cross-section of the community they serve. As they stand just now most people don't see the point of community councils;

- One suggestion to make community councils more relevant to their communities was to reorganise them around school and educational districts;

The 3rd sector

- The wider 3rd sector community must move away from being grant dependent on funding from the public sector and become more socially enterprising and independent by generating their own revenue. This is especially relevant in taking on assets from the public sector;

- There was a lot of concerns to whether the Bill can facilitate the structures needed for the development of a more socially enterprising 3rd sector community base;

Community Planning Partnerships

- Most of the participants in the discussion stated that they did not know what Community Planning Partnerships ("CPPs") did or who was on them;

- Following a description of D&G CPP, who was one it and how it worked, there was agreement that is was especially under representative of young people. One suggestion was that local members of the Scottish Youth Parliament should automatically be members of their local CPPs;

- The group discussed several examples of issues around right to buy land that have affected communities in D&G, such as the ownership of the harbour in Port Patrick by an absentee landlord. Dalry Community Council recently worked to prevent the sale of a community allotment to a housing developer, and were successful in this;

Community Right to Buy

- On right to buy provisions of the Bill, there was strong agreement that the existing right to but legislation should be extended to urban Scotland and that the political and legislative focus for the last 15 years on this issue in 'rural' Scotland has been "quite unfair";

- There was concern over the definitions set out in the Bill on *abandoned and neglected land*, vs. *abandoned or neglected land.* There was a view that the Bill will to clearly define what constitutes 'abandoned' land and what constitutes 'neglected' land and in what instances either or both of these criteria must be met before the power of the Bill can be utilised;

- There was also a strong view that definitions of 'abandoned' and 'neglected' land must be on the face of the Bill, and not in regulations as this is the only to ensure the get the level of public and parliamentary scrutiny which will be required for such contentious concepts. It was felt that Government consultations on regulations get very little attention and scrutiny either buy the Parliament or by the public in general;

- Concerns were raised about the level of second/holiday home ownership in rural communities in Scotland and their impact not just on house process and access to the housing market for first time buyers, but also on the provision of key services in the community such as school places etc. Some felt that there should be thresholds defined as to the level of second home ownership allowed in a community before certain community provisions could be activated to ensure that the level of second home ownership doesn't have a disproportionate impact on the community. One suggestion was to have second homes reclassified under the Used Classes Order of land use planning system as a way of addressing the problem. (The chair said the clerks would bring this issue to the attention of the RACCE Committee as they were examining Part 4 of the Bill);

Participation Requests

- On the participation requests aspects of the Bill there was an acknowledgment that the 2007 single interface decision was very welcome but that this development now needed to be built on;

- The was agreement that if the Bill make it easier for communities and people to navigate the complexity of the local government system in terms of getting decisions made, or identifying who to engage with, would be very welcome. One participant described their experience of engaging with a local authority in terms of getting a decision on a community project as "like wading through treacle";

- There was a feeling that more needed to be done to ensure that communities and the 3rd sector has more resources to engage with much clearer lines of communication with the public services;

- There was a hope expressed that participation requests may assist in bringing about the culture change which many of the community groups identified was necessary in the public service, and at local authority staff level in particular;

- There was, however, also an acknowledgment that community groups and the 3rd sector also need to undertake culture change in terms of the way its engages with the public sector, and what its expects the public sector to achieve for them;

- It was felt that community groups and the 3rd sector need clear understandable guidance to assist it in achieving culture change;

Asset Transfers

- On the asset transfers provisions of the Bill, there was an acknowledgment that local authorities are facing funding shortfalls and, as such, their ability to maintain and operate a host of buildings and other assets will be put under great strain;

- There was a concern that the asset transfer aspects of the Bill might be seen by some in local government of an opportunity to offload burdensome assets onto community groups and others, with all the negative implications that could have for such groups;

- Community council member outlined the current process they are engaged in in terms of truing to purchase a local community hall and summed up the experience as "painful". Elaborating on this process one of the main issues was the continually shifting goalpost's in the process. This was largely dependent on the succession of different council officers the community council has dealt. Some have presented contradictory information on the process of acquiring the hall, with 'problems' appearing and disappearing with the person in question.

- Also the estimated timescales for the process have expanded and contracted, again largely it would seem with the council officer in charge of the process. This overlying message was that the community council had to "fight all the time" to get anywhere;

Local Authority Services and Culture

- There was a clear acknowledgment from many in the group that there were many services and functions that D&G Council did very well. But in certain area, especially any area which have a commercial aspect to them, the processes of the council were described as "lethargic";

- Having said this, however, the group did state that there was also a pressing onus on the 3rd sector and community groups to get their forms of governance and forward planning right in terms of taking on commercial entities and producing viable and sustainable plans for projects;

- One participant described the cultural mind set in local government as a "disabling" one (e.g. what your group needs to so as to allow this to happen is....)

rather than an "enabling" one (e.g. we'll make this happen and just need to find a solution to….);

- It was felt that part of the reason for this was that council officials often see council assets as 'their' assets, perhaps on which the perceive they job depends. So those seeking to take over such assets are an inherent threat, or at least a risk to be managed;

- There was a feeling that elected councillors on local authorities are often themselves disempowered in helping communities as they are dependent on the council bureaucracy for information and action to make things happen. And if the culture amongst the council officials is a hostile, stressed or disengaged one, the councillors can thwarted despite their best efforts;

Common Good Property

- In relation to common good property there was a strong feeling that much more clarify was needed on public sector owned/managed buildings and land, and whether it is common good property or not;

- There was universal agreement that a publically available common good register is vital to the success of the common good provisions of the Bill;

- One issue which needs to be addresses in the culture of certain communities which see common good property in their locality as exclusively for the use of 'their' local community, as opposed to the whole community of a local authority area;

- There was a strong feeling this was especially true in relation to the communities with access to assets which were inherited from the former Royal Burghs. Some of these assets were the subject of local debate as to 'whose' asset they were. The Bill needs to be clear that assets held by council for the common good are for the good of the entire community of the local authority in questions, not just a section of that community which may formerly have constituted a Royal Burgh;

Allotments

- Finally, on allotments, there was a feeling that while the provision of allotments was an important function which local authorities should provide to the community, there was a wider need to ensure the entire community has access to the ability to grow their own food;

- It was felt that this was especially important for vulnerable sections of the community, such as those of economically deprived backgrounds; people with health issues (such as mental health needs), immigrant and minority communities, people with disabilities and age-specific communities (such as young people or the elderly);

- It was agreed that, in terms of the provision of allotments or land for growing food, local authorities should look to give priority to such groups in terms of providing access to growing land.

MSP Chair: John Wilson MSP

Scribe: Francis Bell

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The main points from the group's discussion were as follows—

Community Empowerment (Scotland) Bill

General

- Questions about what definitions of "community" and "empowerment" were being used in Bill. Noted that communities of both interest and geography were covered; empowerment could mean many things – what did participants feel would empower communities?

- Capacity building in communities essential for success of many provisions in the Bill – and this needs to be resourced. Also, need to recognise how much time needs to be allowed for proper community capacity building. Even with this,

concern noted about the sustainability of community groups once key members cease to be involved.

- Concerns about decisions being made in name of a community without sufficient community engagement. But also noted the possibility of engagement raising expectations too much if views are then disregarded.

- People feel not being listened to by councils – opportunity for public to pose questions at start of council meetings?

- Communities will take on more responsibility if they own land/assets.

- Need to find new ways of organising community involvement – "clickicism" (examples in Australia?), that is, people using social media to engage in brief bursts. People don't have time to attend meetings at certain times every week or to read lengthy consultation documents – but might have time to participate in shorter discussion on particular topic via social media, to share or like proposals, or consult a community noticeboard to see if they can volunteer for something at a time that suits them. Such approaches would engage young people much more.

Community planning

- Bill should allow more of a bottom-up approach to community planning. There was a successful community planning pilot in Dumfries in 2001 which involved lots of groups. This was prior to the creation of a community planning department within the council – now that there is such a department it was felt that there is not enough communication between different departments/groups at any level.

Asset transfer

- If assets are transferred, how will councils ensure that assets are operated properly (e.g. run safely with proper public liability insurance etc; run according to relevant restrictions if asset is a common good asset)? How will community groups access the funds the needed to manage assets – costs considerable in some cases?

- Public authorities shouldn't be handing over problematic assets to community groups to run just because money is tight (and community groups may be able to access funding sources that public authorities can't, especially for capital projects), especially if the community group involved is not yet properly prepared for the size of the task. Not transferring assets until community groups properly prepared to take them on protects community/asset in the longer term.

Common good

- Dumfries and Galloway Council already has fairly robust common good register. Even so, the status of some assets is not known (and establishing status where

common good is in play is difficult and expensive). If such an asset was transferred to a community group, how would they deal with any legal challenges concerning the status of the asset?

Community councils

- Variety in community councils noted – some stretched because of large area covered, some areas have no active community council, some community councils not very representative of community (need for younger people). Little investment in or support for community councils. Need for more consultation on definition of community council areas. Perception that community councils don't do anything (and lack of formal powers noted – statutory consultee on planning applications main formal role) – come up with a more defined description of community council role?

Air Weapons and Licensing (Scotland) Bill

Air weapons

- Mixed views on licensing of air weapons. Agreement that should only introduce new licensing system if truly necessary. Is there existing legislation (e.g. on carrying of air weapons in public) that could be better enforced before resort to new licensing system or any alternatives (e.g. tracking weapons from manufacturer onwards)? Would licensing necessarily have prevented cases where people have been killed or injured by air weapons? And if perpetrators in such instances caught, what does licensing add?

- More specific concerns/questions about costs compared with shotgun or firearm licences, transitional arrangements for people who already own air weapons and on how police will apply "fit to be entrusted with air weapon" test.

Alcohol licensing

- Too easy for under-18s to drink in public places currently – but whether or not introduce further measures to try to reduce this, will still happen.

Taxis and private hire cars

- Greater use of private hire cars as opposed to taxis in rural areas. Concern, at certain times of week at least, is short supply rather than overprovision. Prices vary between private hire cars for same journey – should be greater consistency. In general, some support for idea that same regulations should apply regardless of whether the service is procured by hailing on street or pre-booking.

Metal dealers

- General support for proposals in light of problems, but concern about costs on small business and also about new rules making it difficult for people to get rid of

small amounts of scrap metal (dealers won't take things if costs of recording where it came from etc. are too high).

Public entertainment venues

- Support for local flexibility in licensing arrangements. Question about whether school plays covered?

Sexual entertainment venues

- Support for community consultation prior to sexual entertainment venue being established.