RURAL ECONOMY AND CONNECTIVITY COMMITTEE

ISLANDS (SCOTLAND) BILL

SUBMISSION FROM ARGYLL AND BUTE COUNCIL

1. The Bill says that the Scottish Government should publish a national islands plan and then the Scottish Parliament should look at the plan. Do you agree with this?

Yes

What are your views on having a national islands plan?
The Argyll Islands Strategic Group of Argyll and Bute Council facilitated conferences with a number of our islands communities on the contents of the Islands (Scotland) Bill. Each of the groups indicated agreement/approval for the creation of a National Islands Plan, and there was universal agreement that this should then lead to the creation of an Argyll and Bute Islands Plan as a realistic method of helping island communities overcome the challenges they face. It was agreed that a National Plan would safeguard services (education, health, social work etc) to ensure they retain parity with services provided to mainland communities and look to reduce some of the disadvantages currently experienced by island residents. It was also felt that a National Plan would require the Scottish Parliament to consider and address issues for islands as whole and not just in part and this was welcomed. Providing the plan is detailed and, importantly resourced, the expectation is that it will, by way of the suggested annual reporting mechanism, make the government more accountable to island communities, but this will be dependent on those communities being involved in developing the plan to ensure its actual relevance to the communities it is supposed to be for. In terms of local service providers the feeling was that in recognising that whilst many island issues are shared there are many issues which are unique to specific islands that hold just a much significance, more local Islands Plans (Argyll and Bute level at a minimal) would improve accountability for local service delivery, particularly if targets for key areas of delivery are included. Participants agreed that 5 year plan life was just about right, and that all public service agencies, and island residents should be able to have strong and effective input into the development process. There was strong support for an Argyll and Bute Plan as a living document which replicates themes in the National Plan but provides support/solutions specific to local islands. There was also discussion about the potential for an Argyll and Bute plan to be further split into plans for individual islands or clusters of islands in recognition of individual issues, and recognition that this work could pull together some of the Community Action Plans which have been developed by Community Trusts etc, and as part of the development of Local Action Plans by the Community Planning Partnership. There was strong support from Islay Community Council representatives for individual islands plans to be developed.

2. The Bill will require Scottish Ministers and certain Scottish public authorities to prepare islands impact assessments. Do you agree with this provision?

Yes
What are your views on this provision?

Broadly, all participants agreed with this provision, which should help to ensure greater parity of service, and was seen to be potentially most effective if service providers were required to carry out impact assessment before all service changes, highlighted examples all related to health where NHS has redesigned specific services (urology in Oban etc) which has resulted in all appointments now being in Paisley, the effect of which is that many patients simply no longer attend, with resulting deterioration of their long standing conditions and greater pressure then being put on local acute services. In carrying out the island proofing exercise it is important that services should be safe, sustainable, and accessible. All public bodies should be required to carry out a specific Island Impact Assessment as part of their policy development framework and this should be extended to cover any proposed changes to service delivery mechanisms. Island communities should be provided with reassurance that the needs of their specific community have been taken into consideration at all times, though it was recognised that where impact (particularly negative impact) is identified it may be the case that mitigation is put in place and that the solution would not always be equality. The idea of diversity in service delivery is not always a weakness, and marrying different views together can be done with an outcomes focus. It was felt strongly that impact assessments must be consultative and have input from groups on the islands themselves to facilitate local empowerment and ensure best use of limited resources. Significant impact would have to be detailed on a statistical basis, and there could then be scope for provision within legislation that if the significant effect reached a particular point on a scale (e.g. 50% of service recipients on an island would be negatively impacted), there could be a requirement to tailor services to avoid this. Islanders do get most of the services, but often experience a lack of choices within those services. Issues which impact the unique character and heritage of islands were identified as transport and accessibility. The islanders value their heritage: Islay in particular were keen to see its preservation and also wished to remind the Strategy Group that islands can produce innovation too. Responses from participants included that island proofing of plans and policies would become much more transparent and would bring a tailored approach to service development on islands, it should also improve joint working and give cross sector agencies a better understanding of island issues. Effective island proofing could also result in improved joint working across agencies, leading to improved sustainability in the longer term through more efficient use of resources with resulting economic benefits for public sector organisations and for island communities. The understanding that public bodies would be expected to report on their island impact assessments as part of their annual reporting processes would ensure that island proofing was carried out routinely and in accordance with the detail contained within the Bill.

3. The Bill suggests that the Scottish Parliamentary constituency boundary of Na h-Eileanan an Iar (the Western Isles) should be protected from any future changes. Do you agree with this?

Yes

In regards the provision for protection of the constituency of Na h-Eileanan an Iar one participant felt strongly that the same protection should be applied to the Argyll and Bute constituency.
4. Each local government electoral ward usually elects 3 or 4 members. The Bill suggests that island areas may need fewer members (1 or 2). Do you agree?

What are your views on this proposal?

There were mixed views on this proposal, with some participants feeling that it would be positive, however during the course of the discussion the viewpoint became almost universally less enthusiastic. Jura Development Trust felt strongly that having elected representatives covering communities with less than 2000 would be beneficial and would give those communities more say over service development and delivery. The feeling overwhelmingly was that island communities need strong representation, and that, generally, representatives who live on islands have a better understanding of island issues due to their experience of “living it”. It was recognised that current representatives do a good job in representing those views, though Islay Community Council in particular felt that the views of Islay could become lost when they were considered as part of wider island groupings, and they felt strongly that only by having authorities focused only on Islay could the specific issues which they face be realistically dealt with. One participant said that it was often advantageous to have a representative who covered both a mainland and an islands area as it could “smooth” friction between islands and mainland communities. More generally, it was noted that in the current Council make up there are 14 elected Members who represent island Communities (3 Members for Kintyre and the Islands, 4 for Oban South and the isles, 4 for Oban North and Lorn and 3 for Bute), and further that in the event of moving to island only wards this could reduce to 7 or 8 members (on the basis of 2 for Islay/Jura/Colonsay, 2 for Mull/Coll and Tiree, 1 for the remaining Atlantic islands and 3 for Bute) and that this would in fact significantly reduced the number of members representing island views, albeit that those members would have no representational duties for mainland communities and therefore potentially have increased capacity to deal with island matters. It was further noted that to totally ensure island representation it would be necessary to make provision for island members/candidates to have to demonstrate a direct link to the islands in the ward, rather than a wider link with the local authority area. It was felt that having members focussing only on island matters would give direct voice to island issues but that within the political make-up of the Council where matters are often decided on a majority basis the reduced number of members representing islands could result in some decisions being lost on a purely political basis, which would be counter-productive to the spirit of the Bill.

5. The Bill will says that Scottish Ministers should be able to create a marine licensing scheme for coastal waters. Do you agree?

Do you have any comments on how it should be used?

There was general disappointment with the proposals contained within this section of the draft bill, participants noting that it brings limited opportunity for island communities, and that the things which are important to islanders have not been included. There was also a feeling that the proposals could bring about another tier of bureaucracy and actually give islanders more red tape to deal with, which would be singularly unhelpful and actually disadvantage them over mainland communities! The Lorn Islands Partnership were generally more enthusiastic about this section than other participants, and felt there is more to be welcoming of than concerned
about, but did note their concerns that the provisions could create inequalities between islands which do not exist at present. Jura Development Trust felt that the Marine Licensing Scheme and the Crown Estates should be more connected to make it easier for communities to determine the level of use and care needed for their own assets. Participants from Islay were concerned that the provisions of the bill would actually provide more regulating powers to Edinburgh which they were vehemently against, they felt the proposals don’t go nearly far enough and that islands should be able to have absolute autonomy and control over development in their area, including fish farm development. Overall the feeling was that this section of the bill has not given any real powers to islanders and was disappointing. There were no specific disadvantages highlighted during the discussion, but a general consensus that the provisions could lead to greater potentials for inequalities between islands and mainland communities, particularly some of Argyll and Bute’s remote and rural communities who often face similar challenges to islands; if specific powers were put in place through this section of the bill which could lead to island communities having opportunity which would not be available to those mainland areas, that could create inequalities which do not currently exist.

6. Are you in favour of the Bill overall?

Is there anything else that you feel should be included or excluded from the Bill?

There was a general feeling that the terms of the Bill are reasonable, but that the detail to be included in the National Islands Plan will be critical to the success of this work. It is essential that island communities, and their representatives, are given the opportunity to shape and inform the Islands Plan, in order that it is truly representative of the issues which need to be addressed. There was strong support for each islands authority (or authorities with islands) to be resourced to develop and deliver its own individual Islands Plan, and that further devolution to create plans for individual islands, linking to existing processes, community action plans and local action plans for Community Planning Partnerships should be in place. There was universal emphasis on the need for young people to be proactively included in the process of developing plans and processes to ensure the long term sustainability of island committees, and a feeling that this age group should have been actively targeted as part of the current consultation process. Islay Community Council proposed that in order to ensure the provisions of the Bill are actually delivered an Islands Ombudsman should be put in place, otherwise the legislation is toothless. Similarly, it is important that for each area there should be a person identified as responsible for delivery of the islands Plan(s) to ensure delivery of actions.

Q9. Do you have any comments on the bill in relation to human rights or equalities?

There was general consensus that the Bill has been drafted specifically with the western and northern isles in mind, and that Argyll and Bute has been added at a later date. The feeling was that the challenges which Argyll and Bute face in terms of both islands and remote and rural communities had not been particularly thought through in the drafting of the bill. In regards the provision for protection of the constituency of Na h-Eileanan an Iar one participant felt strongly that the same protection should be applied to the Argyll and Bute constituency.
There was strong feeling that while many of the provisions contained within the bill could provide greater support and understanding for island communities it would be important to ensure that in providing that, disadvantage for other communities did not occur, and that the need for island proofing in particular could cause difficulties in an authority such as Argyll and Bute with residents on islands but also in remote and rural mainland areas, and in larger towns, some of which are relatively close to the central belt.

Argyll and Bute Council
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