Local Government and Regeneration Committee

Annual Report 2014-2015
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Local Government and Regeneration Committee

The remit of the Committee is to consider and report on a) the financing and delivery of local government and local services, and b) planning, and c) matters relating to regeneration falling within the responsibility of the Cabinet Secretary for Infrastructure and Capital Investment.

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Clare Adamson
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Cameron Buchanan
Scottish Conservative and Unionist Party

Willie Coffey
Scottish National Party

Cara Hilton
Scottish Labour

Alex Rowley
Scottish Labour

Note: The membership of the Committee changed during the period covered by this report, as follows:
Clare Adamson joined the Committee on 3rd December 2014, replacing Stuart McMillan (Scottish National Party, West Scotland)
Willie Coffey joined the Committee on 3rd December 2014, replacing Mark McDonald (Scottish National Party, Aberdeen Donside)
Cara Hilton joined the Committee on 14th January 2015, replacing Anne McTaggart (Scottish Labour, Glasgow)
Introduction

1. This report summarises the outcomes achieved by the Local Government and
Regeneration (LGR) Committee during the Parliamentary year from 11 May 2014
to 10 May 2015. As a Committee we are keenly aware of the duty to ensure that
the Parliament, and its Committees, work both for the people and with them. We
have endeavoured to achieve this duty in our programme of work over the
parliamentary year.

2. Here are some of the key outcomes we achieved over the parliamentary year:

Bills

Community Empowerment (Scotland) Bill

3. The Community Empowerment (Scotland) Bill was
introduced to Parliament in June 2014. Its key aims
are to empower local communities across Scotland.

4. We spent 18 months preparing to scrutinise this Bill,
including holding relevant inquiries, public meetings,
fact-finding visits and evidence taking. In all, we
engaged with about 4000 people on the Bill.

5. We heard directly from groups and bodies engaged
with local authorities and. We were pleased to assist
one group in expediting their lease discussions.

6. Our overall level of engagement resulted in us
making several key amendments to the Bill, many of
which had been suggested by people across
Scotland. This included a right of appeal system for
groups making requests to participate in the delivery
of public services; minimum sizes; fair rents; and
waiting times for allotment plots. We also
recommended public bodies should report regularly
on how they are empowering communities under the new law. The Bill is now
awaiting final approval by the Parliament.
Air Weapons and Licensing (Scotland) Bill

7. The Air Weapons and Licensing (Scotland) Bill was introduced to Parliament in May 2014 and we have been scrutinising its provisions. These include creating new licensing systems in Scotland for the use air weapons and operation of sexual entertainment venues. The Bill also amends the existing licensing system on alcohol sales, scrap metal dealers, taxis and private car hires and public entertainment venues.

8. This is the first opportunity Parliament has had to enact on legislation on the ownership and use of firearms. In preparation, we studied key topics in advance, meet experts and undertook fact-finding visits, before considering written and oral evidence on the Bill. This gave us the expertise to probe complex areas in the Bill. Our level of engagement with key stakeholders allowed us to make meaningful changes to the Bill.

9. For example, we examined the commercial, economic and reputational damage which rogue metal traders can have on the scrap metal industry in Scotland. Metal theft is an increasingly serious problem in society. In the worst cases lives and businesses can be put at risk when metal thieves strike at vital services, such as the electricity grid or the rail network. These thieves thrive because a small number of rogue metal dealers help launder their stolen goods. This, in turn, damages the reputation of honest and reputable metal dealers in Scotland.

10. Our examination of the Bill led us to conclude the criminal penalties it contained were inadequate and disproportionate to their impact on the trade, and Scottish society. Thanks to our scrutiny, we achieved widespread consensus amongst the Scottish Government, the police and key industry stakeholders to increase the penalties in the Bill. The Bill now provides for a fine of up to £20,000 and/or up to 6 months in prison, as well as the suspension or removal of metal dealers licenses. Changes broadly welcomed by those most affected by scrap metal theft.

11. The Bill is expected to complete its parliamentary scrutiny in late June 2015.

Buildings (Recovery of Expenses) (Scotland) Bill

12. Introduced as a Members’ Bill by David Stewart MSP and originally known as the Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill, we completed Stage 2 scrutiny of the Bill on 4 June 2014.

13. This Bill allowed for the closing of a long-standing loophole in local government legislation which saw councils having a legal duty to take control of and repair, or demolish, any structurally dangerous building which may cause a risk to public safety. Local authorities were required to undertake these duties without any powers to recover their costs from the owners of these buildings.
14. Our scrutiny of the Bill allowed for the cost recovery system created to be more effective and useful to local authorities, by allowing the timescales for the recovery of costs to be adapted to suit each specific case. The Bill received Royal Assent on 24 July 2014.

Disabled Persons’ Parking Badges (Scotland) Bill

15. Introduced as a Members’ Bill by Dennis Robertson MSP, we completed our Stage 2 consideration of the Bill on 11 June 2014. This Bill tackled misuses of the disabled parking blue badge scheme across Scotland. The misuse of the blue badge scheme can have a major impact on the lives of those who rely on the ability to use disabled parking spaces to access everyday services.

16. In a departure from our normal approach we heard evidence from Dennis Robertson MSP alongside the Minister for Local Government and Planning. This approach worked extremely well with the evidence from Mr Robertson and the Minister dovetailing and complimenting one another. It avoided duplication in evidence taking, as well as making efficient use of the Committee’s scrutiny time during a very busy work period.

Inquiries and reports

Flexibility and Autonomy of Local Government

17. The Committee’s inquiry examined the levels of flexibility and autonomy available to local government. We wanted to learn lessons, and inform the ongoing debate on whether there is a need to strengthen and enhance local democratic structures in Scotland.

18. We recognised the way local government is financed, such as through the Council Tax, is vital to the underpinning of local government. We successfully argued for the establishment of a cross party commission, hosted by the Scottish Government and COSLA, to examine the future of the Council Tax and funding models for local government.
Draft Budget Scrutiny

Draft Budget Scrutiny 2015-16

19. As part of our approach to the scrutiny of the Scottish Government's draft budget 2015-16, we have begun to examine the role of local government pension funds in Scotland and how they can use their £12 billion plus of assets to assist in developing Scotland’s infrastructure. This is the first time local government pension funds have received any detailed Parliamentary scrutiny.

20. We also examined the method by which the Scottish Government provides almost 80% of the funding to local government by scrutinising the draft Local Government Finance Circular. Our report was the first occasion on which a committee had reported on this funding before it was scrutinised by the whole Parliament.

Subordinate legislation

21. Over the course of the year, the Committee scrutinised:

- One Scottish Statutory Instrument (SSI) subject to the affirmative procedure; and
- 21 SSIs subject to the negative procedure – one of which (SSI 2014/300) included an evidence session with the Cabinet Secretary for Social Justice, Communities and Pensioners’ Rights.

Engagement and social media

22. As a Committee we have undertaken a major increase in our use of social media as a platform for dialogue with, and inclusion of, the public in the scrutiny and law-making process. Videos, Facebook posts, Instagram posts and Tweets have been used. We have developed our engagement with the principle aim of meeting people on their own terms.

23. For the work set out in this report we have made numerous visits - ranging from Stornoway to Fort William, as well as Glasgow, Dumfries, Dundee, Aberdeen, Ayr, Cumbernauld, Paisley and Maybole. We also travelled to Hamburg, Copenhagen and Malmö. In most of these places, we have held breakfast meetings and informal roundtable events to hear the views of those directly involved and affected.
24. We have used Twitter to run ‘live’ question and answer sessions, including one using Gaelic. We also invited written questions, using social media sources, to examine the Ombudsman on his annual report.

25. We recognise that social media is now an essential part of the voice of the people in engaging with their Parliament, and with us as a Committee. It is also a powerful tool to assist us in informing the public about the work we undertake on their behalf.

26. To enhance our examination of the legislation we produced five YouTube videos on specific aspects – some targeted discrete areas in the bills we wished to examine, and also sought to explain how the Parliament considers legislation. Our videos have been viewed over 3000 times.

27. We produced a video specifically to inform the public on the outcomes of our scrutiny of the Community Empowerment (Scotland) Bill. Watch the video, which was published on 20 April 2015, here: You Spoke, We Listened, We Acted.

28. We also piloted a Committee Instagram account (a photo sharing social media platform), keeping followers up to date with our work. This and Twitter have enabled us to engage with a wider section of society, as well as with key stakeholders and organisations.

29. Throughout the year we took equal opportunity considerations into account for all of our work, as demonstrated in this report.
Meetings

30. During the Parliamentary year we met 34 times. Of these, five meetings were held wholly in public; one wholly in private; and 28 were held partly in private.

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