ALYVE UK is a Scottish Charitable Incorporated Organisation (SCIO) that advocates for and supports local youth forums, which it defines as “groups of young people (aged 12-26) which seek to understand and advocate for the views of young people within the area in which they are based”. It has ties to the Council of Europe, having been founded under the ‘Rejuvenating Politics’ initiative of the Congress of Local and Regional Authorities in 2019.

While local youth forums vary significantly in remit and scope, a large number of them are directly supported and facilitated by local authorities, and seek to cover the entirety of a local authority area. These local youth forums typically fall under the British Youth Council’s classification of a ‘top-tier Youth Voice Vehicle’ in the context of England and Wales. These local youth forums chiefly seek to engage with their relevant local authority on issues within the authority’s remit that are important to young people - though may also seek to engage decision-makers and public authorities at other levels.

Additionally, for those local youth forums which do not meet the definition of a ‘top-tier Youth Voice Vehicle’ (e.g. they only cover a subset of a local authority area, or only focus on a specific issue or demographic of young people), a local authority is often still their principal focus in relation to advocating for young people’s views.

In considering this, ALYVE UK therefore believes that the European Charter of Local Self-Government (Incorporation) (Scotland) Bill would be significantly beneficial, as – by seeking to “strengthen the status and standing of local government” – the legislation would benefit local youth forums and the participation and engagement of young people at a local level as a whole.

Additionally, ALYVE UK supports the incorporation of relevant charters of the Council of Europe into Scots Law as a matter of principle – including the Congress of Local and Regional Authorities of the Council of Europe’s ‘Revised European Charter on the Participation of Young People in Local and Regional Life’, which directly builds upon the European Charter of Local Self-Government.

1. The main aim of the Bill is to make the European Charter of Local Self-Government directly enforceable in Scots law and to require the Scottish Government to act in a way that agrees with the Charter [section 1 and 2]. Do you agree with this?

Yes. In ensuring Scottish Ministers have a responsibility to act in a manner conforming with the European Charter of Local Self-Government in relation to their relevant duties, ALYVE UK believes that Section 2 provides a better guarantee of local authorities’ distinct autonomy, remits, and rights from the Scottish Government. These sections therefore better and improve local youth forums, as entities often closely linked to and interacting with local authorities.

ALYVE UK particularly is supportive of the Bill in requiring the Scottish Government to act in way that agrees with Article 4 of the European Charter of Local Self-Government – which outlines *inter alia* local authorities’ ability to adapt the exercise of powers delegated to them to best meet local circumstances, and the requirement for local authorities to be consulted in relevant decision-making processes – for this reason.

2. Section 3 of the Bill puts a general duty on the Scottish Government to support local government. The Scottish Government must also report to the Scottish Parliament about what it has done to support local government at least once every 5 years. Do you support section 3?
Yes. ALYVE UK believes this would provide a suitable vehicle to review the Scottish Government’s compliance with the Bill, and to outline the future approach before the next reporting period.

3. **Section 4 of the Bill says all legislation must be interpreted in line with the Charter whenever possible. Section 5 allows a court to make a “declaration of incompatibility”. This is a statement that a provision in a piece of legislation is not in line with the Charter. Where this declaration has been made, section 6 gives the Scottish Government power to take action to fix this provision so that it is line with the Charter (section 6). Do you agree with these sections?**

Yes. ALYVE UK believes sections 4 through 6 of the Bill provide a thorough and pragmatic approach to how incompatibilities with the European Charter of Local Self-Government and legislation maybe be addressed.

4. **Section 7 allows a court to limit the consequences of a ruling that the Scottish Government has not complied with a duty set out elsewhere in the Bill. For instance, the court could provide that the effects of the ruling don’t reach back in time. It can also give the Scottish Government some time to take corrective action to address the ruling. Do you agree with section 7?**

Yes. ALYVE UK supports the Bill’s inclusion of the ability of courts to reasonably mitigate the impact of such a ruling, as long as this in practice would not undermine the statutory duties of the Scottish Government to comply with the European Charter of Local Self-Government.

5. **Do you have thoughts on anything else about the Bill, for example:**
   - how quickly it should become law after it’s passed (section 10 says this should happen almost immediately)
   - what financial impact it will have if it becomes law
   - if it will have any positive or negative impact on equality or human rights.

   ALYVE UK supports Section 10 of the Bill, in ensuring components come into force on the day of, and some six months after, Royal Assent.

   ALYVE UK believes that the Bill has the potential to have a positive impact on equality and human rights. Specifically, by indirectly benefiting local youth forums, incorporating the European Charter of Local Self Government could further young people’s right to “…to freely express her or his views, in all matters affecting her or him, and the subsequent right for those views to be given due weight…” under Article 12 of the UN Convention on the Rights of the Child.