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 I do.

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?

I fully agree with Section 3 of the Bill because it will oblige the Scottish Government to halt its general centralisation of power and financial resources. Additionally, this obligation will undoubtedly improve the intergovernmental relationship between the national and local governments, which have been increasingly embittered in recent years due to local authorities having had their autonomy severely hindered by statutory funding programmes and other national directives which have weakened local democracy.

Moreover, regular reviews of how local democracy can be strengthened will hopefully allow for progress to be made in important areas that national government has overlooked for decades. For instance, issues like improving the salaries of councillors so that the salaries reflect the full-time nature of their work, and increasing the number of elected councillors so that Scotland ceases to have one of the lowest number of local councillors per head of population in Europe.

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?

I fully agree with Section 4 and Section 5 of the Bill because I believe it is vital that the judiciary has the power to enforce any breaches of the Charter by national government. Regarding Section 6, I would welcome the Local Government and Communities Committee having an active role, alongside the Scottish Government, in deciding upon and implementing the remedial action necessary to make the Bill compatible with the Charter. The committee should be empowered to initiate the necessary remedial action and to bring it to Parliament because the committee’s
independent inquiries and deliberative approach may make it better placed in some circumstances to reach resolutions. I believe that in order to ensure local government is strengthened Scotland’s committee system needs to have the necessary levers to protect and shape its powers.

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 I do.

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.

I think the Bill should become law immediately because Scottish local government desperately requires to gain the legal protections and the respect that it deserves. Since Scotland presents itself as a fully modern European nation - with visions of a future entry into the European Union – we absolutely must practice the principle of subsidiarity within our own land by enabling truly local government to exist and thrive.

I think the Bill will have a positive impact on equality and human rights because it will allow local communities – for the first time since devolution – to truly experience local democracy and to shape the society around them. By ensuring that decisions that can be made locally are made locally, Scots will be empowered to engage with local democracy and to ensure that their local circumstances and interests are being reflected in the actions of their respective local authority. Although it can be argued that increasing the political and economic independence of local authorities will create a postcode lottery which will further disadvantage the poorest areas, this is a false dichotomy; national government can still support poorer areas at the same time as allowing local people to control more of their own political and economic resources.