The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

LOCAL GOVERNMENT AND REGENERATION COMMITTEE

Wednesday 20 January 2016

Session 4

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LOCAL GOVERNMENT AND REGENERATION COMMITTEE
3rd Meeting 2016, Session 4

CONVENER

*Kevin Stewart (Aberdeen Central) (SNP)

DEPUTY CONVENER

*John Wilson (Central Scotland) (Ind)

COMMITTEE MEMBERS

*George Adam (Paisley) (SNP)
*Jayne Baxter (Mid Scotland and Fife) (Lab)
*Cameron Buchanan (Lothian) (Con)
*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)
Cara Hilton (Dunfermline) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

George Black
Professor Ken Gibb (University of Glasgow)
Professor Annette Hastings (University of Glasgow)
Bill Howat
Professor Ade Kearns (University of Glasgow)
Dr James White (University of Glasgow)
Gavin Whitefield

CLERK TO THE COMMITTEE

David Cullum

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Local Government and Regeneration Committee

Wednesday 20 January 2016

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (Kevin Stewart): Good morning and welcome to the third meeting in 2016 of the Local Government and Regeneration Committee. Everyone present is asked to switch off mobile phones and other electronic devices, as they interfere with the broadcasting system. Members will refer to tablets during the meeting, as we provide papers in digital format.

Apologies have been received from Cara Hilton.

Agenda item 1 is to decide whether to consider item 3 in private. Do members agree to do so?

Members *indicated agreement.*

Legacy Paper

10:01

The Convener: Agenda item 2 is today's substantive item, which is on our legacy paper. We will take evidence from two panels. The first panel consists of academics; the second will consist of former local authority chief executives.

In session 4, the committee has dealt with or is dealing with the Burial and Cremation (Scotland) Bill, the Community Empowerment (Scotland) Bill, the Air Weapons and Licensing (Scotland) Bill, the Disabled Persons' Parking Places (Scotland) Bill, the Buildings (Recovery of Expenses) (Scotland) Bill, the High Hedges (Scotland) Bill and the Local Government Finance (Unoccupied Properties etc) (Scotland) Bill. We have undertaken inquiries into arm's-length external organisations, fixed-odds betting terminals, the flexibility and autonomy of local government, the delivery of regeneration in Scotland, public service reform—that was a three-strand inquiry—the 2012 Scottish local government elections, and a living wage in Scotland.

I welcome the first panel. Professor Ken Gibb is professor in housing economics; Professor Annette Hastings and Professor Ade Kearns are professors of urban studies; and Dr James White is a lecturer in urban studies.

How would the panellists characterise the committee's legacy? Who would like to start? Nobody is willing to bite the bullet. Shall I pick somebody? Ladies first, Professor Hastings.

Professor Annette Hastings (University of Glasgow): That is very unfair. That is an unexpected question. We have not seen a legacy paper; we submitted evidence on aspects of the committee's work that we were particularly interested in.

The Convener: I clarify that you are here to help us to formulate our legacy paper. That should have been conveyed to you; I understand that it was.

Professor Hastings: Right. In broad terms, that is what we think we are here to do.

I will comment on some work on which I have previously provided evidence to the committee. My submission is about the cuts to local government funding, which I am happy to talk about in detail.

I was involved in the committee's scrutiny of the Community Empowerment (Scotland) Bill and was very impressed that the committee took on board quite a lot of the submissions that were made by a range of stakeholders, particularly on how the bill as originally drafted had the potential to amplify

disadvantage. It was very pleasing that those ideas were taken on board in the bill.

There are obviously concerns about how the provision to support disadvantaged groups in the community empowerment agenda can be implemented, given the severity of austerity and the cuts to local government budgets in particular. That is an important forward-looking issue.

That is one remark on the work that I am aware that the committee has done.

Professor Ken Gibb (University of Glasgow): You mentioned the issues around the flexibility and autonomy of local government. I would point to the major work that has been done by the commission on local tax reform. Clearly, in a sense, the interesting part is to come as regards what the different political parties and the Government wish to do with the options that have been presented to them.

At the same time, we have the other issue that the commission on local tax reform considered—that we would have a ninth year of the council tax freeze—which clearly raises a lot of issues about the flexibility and autonomy of local government. I imagine that that will be an important and significant part of your agenda.

The Convener: The foundation of the commission was due to a recommendation from this committee. Would the commission have been formed if it had not been for the committee's inquiry into the flexibility of local government?

Professor Gibb: The inquiry clearly helped greatly. The nature of the commission in particular was important; the fact that, unlike for the Burt inquiry before it, there was an attempt to have an all-party approach, including a wider range of independents, gave it a stronger heft from the very outset. It is a significant improvement on the Burt inquiry in terms of its credibility, even though I think that the Burt inquiry is a very good piece of work.

Professor Ade Kearns (University of Glasgow): In my submission I looked at two areas that the committee has considered. One was community empowerment and the other was the delivery of regeneration. In both areas there is still a lot of work to be done, so your forward-looking agenda is extremely important, despite the fact that you have delivered quite hefty reports on both those things in the past.

I am aware that there is currently a review of the national standards for community engagement for the Scottish Government. There is quite a lot to be done in regard to the standards. They have been in operation for quite some time and a lot of public bodies and third-sector bodies profess to adhere to them, yet we have been studying the effects of community engagement and empowerment processes in deprived communities and it is possible to find that adherence to the standards does not guarantee empowerment for communities. That is a bit of an issue.

I do not think that there is currently very good evidence about the effect of those standards on empowerment, if empowerment is to be the outcome of the standards. In other words, the standards describe a process but they do not guarantee an outcome. That is a bit problematic because it is too easy for public authorities and other agencies to consider the job done if they have complied with the standards. It seems to me that the standards are a means to an end, not an end in themselves. That is why I said in my submission that one of the issues that I would select for further scrutiny is what the effects of the engagement standards are.

The Convener: We have endeavoured to go around the country and speak to as many people as possible and to have as many ordinary folks as possible come to give us evidence, often in informal settings. It would be fair to say that the levels of engagement are very different in various parts of the country. We have seen during the course of our travels some immense engagement. Dundee is probably the best example that we have come across, I would say, where budgets have followed as well, so it is not just paying lip service to engagement—engagement is influencing budgeting.

One of the things that we have seen of late is a move to participatory budgeting, possibly due to some influence from the committee. If people have a say in how certain moneys are spent, will that help to improve engagement?

Professor Kearns: It is clearly important that people have a say in how money is spent. One of the issues that we find in engagement processes is that people need to understand the parameters of the process; in other words, people need to be clear what is and is not up for grabs in discussion. It is important for people to know the financial envelope within which something will be dealt with.

One of the issues for communities is that the infrastructure of organisations that make decisions is getting increasingly complicated. The whole process—the arena in which the committee, local authorities and other public agencies are involved—is getting very complicated. If that is not explained very well, people often go through a process of engagement and are still unclear about, first, who is making decisions and, secondly, who is responsible for the delivery of regeneration—which is what we have looked at—or, in the case of services, who is responsible for delivery in accord with decisions that they think have been made. That is often not clear to people. I was

trying to argue that that side of the process, while potentially empowering, is also potentially disempowering. It is one thing to take part in participatory budgeting or other discussions with service providers but to know nothing about what happens next seems to be a lacuna that needs to be filled.

Jayne Baxter (Mid Scotland and Fife) (Lab): I very much agree with what Professor Kearns said, but how do we take that forward? Knowledge is power, and information is at the root of that. Things have to be explained and communities have to be supported to take on board the information and work out what they are going to do about it. However, that needs support at local level. Does anyone on the panel have a view about how reductions in council budgets and the need to make savings will impact on the capacity of local staff and communities to participate as effectively as we would all like them to? There is a capacity constraint there, I think.

Professor Kearns: Let us take the example of what we have been studying, which is a multimillion pound delivery of regeneration effort in the city of Glasgow. It would take a minute proportion of that expenditure to finance support to communities to understand the processes of change and decision making.

When Scottish Homes housing was transferred to community ownership 20 years ago, in every case the community received the right to an independent consultancy to support them in that process. That is not happening at the moment. One of the points that I was trying to make to the committee was that communities should have a right to independent support.

I agree with Ms Baxter about information, but if a person or a public body sets up a process to engage with a community and collect its views about something, and the only information that the community gets comes from the person or body with a stake in the outcome of the process, there is great scope for bias in the provision of information, whether it is the kind of information that is provided or a lack of information. The only way to ensure empowerment is for communities to have an independent view about the information that they are receiving, what is possible in the process in which they are engaged and the potential outcomes beyond those on offer to them. A community does not know those things without a third voice that is neither the community itself nor the delivery organisation that is giving it the advice. That would not cost much money.

The Convener: Dr White, I would be grateful if you would answer my question about what characterises the committee's legacy at the same time as answering Ms Baxter's question.

Dr James White (University of Glasgow): I should say first that my work is primarily on Canadian cities. That is what I wrote my submission on. In particular, I wrote about engagement with local people on Toronto's waterfront, which is a project that is perhaps similar in scope and size to efforts on Dundee's waterfront and in Glasgow and other cities where lots of vacant land is coming forward for master planning.

I guess that, from a legacy perspective, and regarding the future work of the committee, I would say that taking some time to look at examples of best practice, where communities have been involved in processes of large-scale regeneration in other countries and places, would probably bring value to understanding some of the challenges and wicked problems that are faced here. The work on Toronto speaks to the idea of ensuring that people are involved very much from the start of a regeneration process and therefore have information with them right at the beginning of the process. They can then be involved in different ways throughout the development of the process. That is specifically in relation to development in the built environment.

With the charrette mainstreaming programme that the Scottish Government is working on, there is an opportunity to take forward some of the ideas of long-term involvement in development issues in cities. My sense is that the charrettes, although they work well as individual events, sometimes privilege professional expertise because of the types of people who show up. We need a way to get more local people and communities involved in the process so that it is not just a talking shop of experts from different silos of the development process.

10:15

Professor Hastings: I will address Jayne Baxter's question. Evidence that is emerging from England, where the cuts to local government budgets have been quicker and more severe, suggests that community organisations are finding it difficult to maintain their energy as capacity building activities diminish. In some places, they have been the first things to be cut.

One of the ways in which many English councils are managing austerity is by passing more responsibility to local people, not just to participate in budgeting activity and participation-type mechanisms, but to deliver services and run facilities. Given what we are about to face in Scotland and the severity of the cuts to come, Scottish councils need to be aware of the dangers of doing that without also investing relatively small amounts of resource in developing the capacity of disadvantaged communities in particular to take

on those new responsibilities. Otherwise, big gaps in services are bound to open up.

Professor Gibb: I will make two quick points in response to the questions that have been asked.

First, on participatory budgeting, the evidence that people such as Oliver Escobar have drawn from around the world suggests that it works best where it is not a gimmick but there is a long-term, embedded set of policies that have an educational and evolutional element so that the people who make decisions are involved continually and set up their own participative structures to do that. There is evidence from South America and France that that is potentially a valuable thing. I know that many local authorities in Scotland are undertaking training, which the Government is supporting, in order to make participatory budgeting a reality.

Secondly, on austerity and capacity, I have been working in what works Scotland on community planning partnerships for the past 18 months or so, and it is clear that, in a number of local authorities, the staff who run the CPPs are under a lot of pressure. The way that the budget cuts manifest themselves is that a continuous process of organisational change is under way and there is considerable uncertainty on the part of key staff as to what they are going to be delivering. That is simply not an environment where the system change that everybody wants to see can actually occur.

John Wilson (Central Scotland) (Ind): Good morning. I am tempted to get into a debate with Professor Kearns about the resources that were made available 20 years ago during the stock transfer, but I will resist. There is clearly a difference of opinion about the support that was provided—

The Convener: And about whether it was independent.

John Wilson: And about whether it was truly independent from the process.

The purpose of this session is to look at the committee's legacy and the work that we have done over the past—almost—five years. Community empowerment and regeneration have been mentioned. What could the committee have done better to address concerns? You have mentioned the potential cuts to local government budgets and the stresses that will be faced in the delivery of services by local government and in community empowerment. What could the committee have done better in the inquiries that we have held and in our discussions with academics, professionals and communities that might have helped us to develop better strategies?

The Convener: Who is going to take that on first?

Professor Kearns: One of the issues in our research is how individuals and their families are supported in such processes. There is a slight conundrum that involves the reformulation of the arrangements for services, which tend to look for efficiencies in times of reduced budgets. One way of trying to achieve efficiencies of all kinds is to scale up at the point at which things are planned and to get services to co-operate better than they did before.

I would not argue against that approach, but the dilemma in scaling things up to allow large bodies to talk to one another is that opportunities are lost for people who are lower down the system to have input. I would look at the effect of such rearrangements on the ability of the communities that we study to engage with or find an entry point into the process.

We also need to look at the effects of austerity and other changes in the economy on individual households. We have found that lots of things are planned for spatial areas or communities, but far fewer things are planned for supporting individuals who face challenges and difficulties. The individual aspect is often lost.

Professor Hastings: I will comment on the context in which the committee is working rather than on the committee itself, because I think that a change in the policy context could help the committee's work. I am talking about the commencement of the socioeconomic duty on public bodies under the Equality Act 2010, which I understand the independent adviser on poverty and inequality is recommending to the First Minister this morning and which is supported by SURF—Scotland's independent regeneration network—and the Poverty Alliance. It embeds the idea that public agencies must build into their policy and implementation processes an anti-discrimination policy with regard to disadvantage, which will be central to making the public sector work better for regeneration areas in a more mainstream and routine way than is currently the case.

In the committee's early days, there was quite a lot of discussion about the effective means of delivering regeneration and debate about the role of mainstream and public sector agencies in that. I am not sure whether that debate has gone much further than the proposals in the Christie commission report and elsewhere on the reform of public agencies, but there is certainly more space to do more with the public sector and to repurpose it so that it is more routine for the sector to consider socioeconomic advantage as part of its daily activities.

John Wilson: I take on board your comments about how we analyse what is happening and make predictions. It could be argued that some of

the austerity measures that are now being taken could have been predicted five years ago from the Westminster Government's direction of travel.

I will return to the point about how we get the experiences of individual households. Like many organisations, the committee can speak to only certain groups around the country, and we rely on them to relay the experiences of communities and individual households. How do we make that approach better?

I note that in your submissions you have given examples of work that is taking place in communities and with individuals in those communities. When I worked in community development many years ago, we used to talk about the fingered elites; they were the only ones who could get through the door and who we heard from. How can the committee and the Parliament get to other individuals and hear their experiences to allow us to develop our policies, strategies and reports for government?

The Convener: Who wants to have a crack at that?

Professor Kearns: I would find out whether there is some way of engaging civil society organisations to provide you with evidence and experience. I understand your point that there are only so many people whom you can talk to—

John Wilson: I accept that civil society will have a role, but there is a wider debate about whether civil society as it is represented in community planning partnerships truly represents the communities that those partnerships are in. I am trying to get at how we find out individual households' experience of the policies that have been pursued by Westminster and by the Scottish Government. How do we get knowledge of the impact of policies on individual households?

Professor Kearns: There are services that deal with those individuals, such as general practitioner practices. If it were me, I would try to get the organisations that deal with those individuals to come and speak to you. It is possible to get evidence about individual cases, which can help.

We try to speak directly to some of the people involved. There should be ways in which the committee can do that. I accept that you cannot do that directly yourselves as 10—or however many—individuals, but you could set up arrangements to do that.

The Convener: Dr White, do the Canadians do anything different to engage with households and individuals?

Dr White: I do not think that the Canadians do anything massively different. In Toronto, at least, the Canadians are very effective—in the planning context—at getting people involved and learning about their experiences when something is happening that directly affects them, particularly in the case of large development projects. When something physical is happening in the environment close by that people are passionate about or feel that they have a role to play in shaping, they tend to be more interested in getting involved. I am not an expert on the wider involvement of people in Canadian society.

Professor Gibb: I am aware of two local authorities in the west of Scotland that are trying to drive their community planning processes down to neighbourhood level. Glasgow City Council is doing so with its thriving places initiative and West Dunbartonshire Council is doing so with its your community initiative. Those local authorities both face the same kind of issue. It is like a fractal: the problem of difficult-to-reach groups operates at every level.

Local authorities are all trying to find the best way to get access to people at a neighbourhood level who are not the usual suspects or the activists who always get involved; they are trying to find ways to get views that are genuinely representative of what is going on at a street level or whatever. Local authorities are all doing lots of things, which is exactly what would come out of the community development literature. They can hold a lot of events and use a lot of ways to communicate directly with people, including drawing in the services that Ade Kearns mentioned.

This is a universal problem that we are all wrestling with. Given that the context is that less by way of resources will be available for such services, it is just another layer of a big challenge that is being faced. People are working hard to try to crack that nut.

The Convener: What are the barriers to bringing the processes down to a neighbourhood level?

Professor Gibb: Typically, a local authority does community planning analysis at a local-authority-wide level; the barriers involve trying to replicate that and get to grips with really local issues, so we have to produce similar processes, similar modes of accountability and similar service discussions at a local level. We have to think about the most effective way to do that.

West Dunbartonshire Council piloted a series of low-level planning arrangements in one area and it is now rolling out those arrangements to other areas and learning lessons. Every local authority will have its own dynamics and its own issues to contend with. It is not the case that if something works in Glasgow it will undoubtedly work in East Lothian or vice versa; it is inevitable that real-time

work has to be done to learn lessons and make the processes work.

The Convener: There is nothing new in all this.

Professor Gibb: Absolutely not.

10:30

Professor Kearns: The approach also depends on what the purpose is of finding out about individuals' experiences. I agree with what has been said about how the committee or a local authority gets the voice of ordinary people who are affected by things. There is a difference between saying that we want people from communities to be involved in decision-making processes around community planning—as you know, complicated arrangements are in place for that and such processes will engage a certain type of person—and finding out about real experiences and evidence of impacts, which could require us to speak to a different kind of person.

Local authorities do large-scale things such as surveying their populations to find out what people think about those authorities and about the services that are provided. To do that, they use what they call citizens panels—Glasgow City Council has one, as do many other local authorities.

However, there is a different panel that local authorities and the Government could have: a panel about experiences. It would engage people not to make decisions but to speak about their lives. It would not be a large-scale panel of 1,000 people, because a different arrangement is needed to get the experiential evidence that you say is difficult to grasp.

That approach would be a way forward, and that is what we try to do. We have a panel of people who can tell us about their lives in their own time and in their own way, so we let them do that rather than asking them a battery of questions. That is a different type of citizens panel.

Dr White: I have not researched this work directly, but I could look further into it if the committee is interested. A colleague of mine at the University of British Columbia, where I was a PhD student, worked on something called mini-publics, which operate in some North American cities. Calls to attend a one-day or two-day workshop—almost like calls for jury service—are sent to community groups, often with the offer of a small honorarium, and people come along to discuss bigger policy ideas. Often, you can get community groups involved in local issues, as Ken Gibb said, but it can be harder to get the general public engaged in bigger policy issues. Letters are sent to a large group of people, which generates a smaller group. From that, a cross-section of people are involved in understanding a policy and its background and can comment on it.

Professor Hastings: We do not have to do additional work on the issue to get at experiences. I amplify the point that Ade Kearns made about the need to make better use of the good social research evidence that is generated from a great deal of time being spent with the people the committee is concerned about. That evidence deals not only with those people's views on a particular policy but with how that intersects with a range of aspects of their lives. The committee could consider that.

Jayne Baxter: This might be a question for the next panel, but I will float it now to see what our current witnesses think. We have talked about experiential evidence, and it seems to me that people such as councillors and MSPs possess a lot of that, because they constantly do casework that involves talking to constituents and hearing about local issues and problems. Could that experience be built into the system? At the moment, it exists somewhat at the side of the system and is not used to influence practice or policy. Is there a way in which it could be used?

Professor Kearns: If that experience was collected, it could be used. My only slight reservation is that, because there are always people who do not come forward, the information would need to be supplemented. However, I agree that there is probably a lot of what you call experiential evidence in the system that is probably not recorded.

Professor Gibb: A related point occurred to me as Jayne Baxter asked her questions, and it could be a question for the committee. I do not understand the extent to which committees interact with one another on specific issues and topics. In welfare reform, council tax reduction is not part of universal credit, but it is directly relevant to issues around poverty, low income and benefits. I would have thought that your committee and the Welfare Reform Committee would be interested in that. In infrastructure and investment, both those committees would be interested in the work on city deals. I imagine that there are lots of local labour market and economic issues that the Finance Committee would be interested in. Can the committees pool their knowledge and expertise in a way that would enable them to build on some of the experiential evidence that you are talking about?

The Convener: There is interaction. I serve on the Welfare Reform Committee, and that committee and this committee have looked at aspects of the issues that you mentioned. As part of our budget inquiry, we have looked into city deals. Is the interaction 100 per cent spot on? The answer is that it is probably not, but that is a

personal opinion—some of my colleagues might have other views. That is an area in which improvement is necessary.

As the witnesses will be aware, a number of bills are considered by more than one committee. We are looking at the Burial and Cremation (Scotland) Bill, but we are not the lead committee for its consideration—the Health and Sport Committee is. There is interaction, but maybe there is not quite enough of it.

Professor Kearns: I would ask a similar question about the place standard. I am not sure what the committee's involvement was in the development of the place standard, but it is pitched as a joint effort between public health and architecture bodies. In our work, an important issue is the quality of neighbourhoods, which matters a lot in the context of people's quality of life. An issue that I raise in my submission is who looks at how well the place standard is working. It has the potential to work very well or to exacerbate inequalities between communities, which depends on who makes best use of it.

The Convener: Does Jayne Baxter want to come back in?

Jayne Baxter: No—I am content. I was just floating an idea.

Cameron Buchanan (Lothian) (Con): Professor Kearns mentioned the need to engage with individuals and the idea of having a panel about experiences. That engagement has proved difficult for us, because we tend to see the usual suspects.

How can we engage with individuals? Are we doing the right thing? We go out and about quite a lot—we have been to visit people. We have found round-table sessions to be more successful than more formal meetings. Your point about engaging with individuals and hearing about people's experiences is good, but it is hard to get people who have had a variety of experiences.

Professor Kearns: The fact that such people often have a great many issues to deal with in their lives makes it difficult for them to appear before a committee as and when it needs them to. The only suggestion that I will make to the committee is to use the method that we have used.

As the committee knows, some of our community panel members are here to observe the meeting. We faced the same issue—we wanted to access people who would come and speak to us regularly. Our solution has been to use someone with expertise in the field to access those people for us. In a sense, we use a skilled intermediary—who is also here today—to do that.

We face the same issue as the committee does. As people who exist in large institutions, we have to consider how to access people who are difficult to find and who find it difficult to make time for us. I suggest to the committee that it should find a skilled intermediary to help it.

The Convener: I will play devil's advocate. Skilled intermediaries often put their own slant on what the public are saying. We have had experience of that on a number of occasions.

Professor Kearns: I am sorry—I was not suggesting that you should use a skilled intermediary as people's voice; I was suggesting that you should use one to give you access to people so that you can hear the real voices. I agree entirely with what you say.

The Convener: That is grand.

Cameron Buchanan: I will return to the issue of the usual suspects. I understand exactly what you say about a skilled intermediary; you are not talking about someone who would lead the discussion. Is our committee work effective in dealing with people and from the point of view of engagement?

The Convener: Does anyone have a view on that? I know that it is difficult for the witnesses to comment, because they have not seen us at the coalface.

Professor Hastings: Over time, there have been big improvements in the extent to which central Government has reached out to ordinary people. A lot of people were involved in the work that led up to the passing of the Community Empowerment (Scotland) Act 2015. There have been the fairer Scotland conversations. A lot of ordinary people in Scotland are at least at the table, even if their voices are not heard. There is still room for improvement, but we are moving in the right direction.

Cameron Buchanan: Professor Gibb mentioned committees interacting with each other, which is important. Our committee does not tend to deal with planning very much, although the Infrastructure and Capital Investment Committee does. What would you suggest as a solution to that?

Professor Gibb: That is why I asked the question. The solution would be to think of effective ways of co-working. The convener made the important point that members sit on many committees, which is a direct thing. You need to think of the most effective ways for committees to interact on a weekly basis, share information and develop combined agendas over time.

The Convener: I do not want to get bogged down on that, although I know that it is important. The Parliament is changing in terms of the way in

which we interact. There has been much more use of committee debates during this session, which has been useful for everyone. There have also been joint committee debates. We need to explore that and deal with it in the legacy paper. Professor Gibb has made a good point.

Professor Gibb: In Westminster, there is a committee of conveners. I do not know if that happens here.

The Convener: We have that here, too. That reminds me that we have a Conveners Group meeting on Thursday.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I was elected to Kilmarnock and Loudon District Council in 1992. You could argue that that was at a time when budgets were a bit more plentiful than they are now, but I do not have any recollection of a superb engagement process that worked with communities to develop outcomes. I saw the beginning of the community planning process at that time and my impression was—and still is—that it was about things that were to be done to the community. We do things to the community, rather than work with them.

In one of my previous walkabout campaigns in my constituency, I met a wise constituent who said, "Why don't you develop policy from the ground up?" That conversation seems to have been circulating around here in some of the comments about finding ways to do that. Do mechanisms such as the Community Empowerment (Scotland) Act 2015 open the door for such a process? Resources are not the only thing that effects change, just as the lack of resources does not prevent change, because there are other dynamics involved. Do you have a view on the Community Empowerment (Scotland) Act 2015 and whether that unlocks the ability to make policy from the ground up? Are we on a successful path?

Professor Kearns: That depends on the act's impact on community planning. There are two issues. First, there is not enough of what you describe and what could be called community-up planning, particularly in respect of social planning, as I mentioned in my submission. There is a lot of physical planning, but not a lot of social planning. How do we want communities to be composed and how do we want them to function? Furthermore, the planning must embrace more about the private sector, which has really big impacts on communities that are not quite uncontrollable but difficult to control and influence. Public processes often influence the vision of public services, but there is this big elephant in the room of what happens in the private sector in relation to retail, leisure and transport.

Secondly, as we go round our study communities, the issue that gets mentioned to me more than any other is how to get purchase on transport. Those things—trains, buses or whatever—change, but we do not know that they are going to change and that impacts on our lives.

The question that I would pose back is: what do you think that the impact of the Community Empowerment (Scotland) Act 2015 will be on the community planning process? That is a big question.

10:45

Dr White: As an urban designer, I am interested in how the place standard is developing. I am keen to see its effectiveness. One thing that it could be used for, which links into grass-roots policy making, is to engage people in visioning the places where they live to capture what they like and do not like and to try to come together to reach a foundation level of understanding about what matters about the place and what they want it to be in future.

We have a lot of local policies, plans and mechanisms that support the development of the control process, but we could perhaps do a better job of establishing a true vision that people have developed for how their town, city or neighbourhood could be. The place standard potentially provides that mechanism for understanding—that is, if it works; from the few tests that I have seen, I worry that it is a little bit bureaucratic and heavy, and I think that it could be made less complicated. I would like to study it a bit more.

Professor Gibb: One of the issues that local communities express a concern about—or, at least, about which there is a perception of a concern—is the possibility that the community empowerment provisions on asset transfers are, to an extent, about public agencies washing their hands of assets or pushing down the control and management of certain activities to the community. They worry about that. Communities might want to make changes to how those services are provided or those assets are used, but that is quite different from thinking about the long-term way in which those assets will be managed and delivered in future. We have picked up concerns about that from community planning partnerships and local communities.

I want to mention participatory budgeting again. The issue is not just about resource allocation; it is about the process that goes with it. From international research and research in England, we believe that that can be a useful way of bringing more and more people into thinking about the choices around the way in which public

resources are used and what services are invested in. Even if only a relatively modest sum of money is involved, which I think would be the case initially, that is a valuable thing to do.

Professor Hastings: With bottom-up policy making, it is important to be transparent with communities about the limits to the participation and what is possible. It is important not to raise unrealistically high expectations about what can be delivered through the process.

Willie Coffey: With regard to things such as local planning processes for new housing developments in towns, my experience is that people tend to get involved close to the tail end of the process, when they decide that they do not like something or that they want to object. Despite great efforts to engage with the public on complex matters such as the local plan, that engagement, by and large, is not particularly successful. My personal view is that that can end up with, for example, peripheral housing estates with lovely houses but with nothing else but those lovely houses. I am thinking of an example in my constituency in which there is not even a post box.

Professor Kearns: That is a symptom of the planning process as a whole. It works at a large scale. It is difficult to engage the community in any plan for, for example, the south of Glasgow or the south of Edinburgh when they think that they live in a place with a particular name for which there does not seem to be a planning process, even though, when they see the devil in the detail, they realise that that place is included in the plan. I agree that that is not a particularly empowering way of doing things and that we need to change the order in which planning is done. Basically, it is done from the top down and, as you say, at the tail end of the process people realise that there is a bit of development going on in their back yard that they did not know about. The alternative way involves starting with a different building block, as it were.

That is where the idea of the place standard comes in. It has potential, but it is extremely weak at the moment. Let us be clear: it is entirely voluntary and there are no minimum standards in it at all. That seems to me to be a big issue for the process as a whole. It is potentially a tool that people could use for visioning and for working out what is wanted at the community level but, currently, it is tangential to any planning process. The task for your committee is to find a way of bringing it into the planning process in a more integral way. At the moment, it sits over there somewhere and can be used or not used by a community and nobody cares either way. It is not part of any centrally defining process that determines what communities will look like in the future.

If a community came up with a view about their area on the basis of the place standard, they would have a big task on their hands if they wanted to feed that into a planning process that, in any case, happened the previous year.

Dr White: The charrette system is the same. The main stream of the charrettes is interesting—it is another innovative idea from the architecture and housing division—but they drop in at certain points and then disappear.

In my work in Canada, I found that the public participation process on waterfront regeneration there was effective and involved a lot of people because it started right at the vision and continued through all the different plans right to the point at which people got involved in the individual buildings. We are quite good at getting people involved in individual buildings or housing estates that are proposed but, sadly, that involvement is often reactionary; it is a negative experience of not wanting something to be on a piece of land or close to one's house—the nimbyist idea. If we can get people excited about planning in their neighbourhoods earlier, that's the ticket.

John Wilson: I am interested in Professor Kearns's comment about the private sector. The committee does not tend to engage with the private sector and we have seldom engaged with it on community empowerment in particular.

The private sector poses a dilemma for many—not only for local government but, particularly, local communities. Dr White referred to communities being involved in the planning process, and the place standard has been referred to. Communities might have a concept about how they should grow and about their demands and needs that differs from what a private developer, a retailer or the local authority might envisage for them. If we are genuinely talking about community empowerment, the question is: how do we get those elements to understand that and get to the point at which a community can make meaningful decisions about how development is progressed in the community?

I can give a number of examples. At present, major house building programmes are taking place in many communities in central Scotland. Those are private sector projects. The private sector has identified the land. The community demands more social housing, but the private sector does not want to build social housing because it is not as profitable.

How do we get to the situation in which communities can meaningfully engage and give direction to the place standard, which can then be put into practice so that the communities feel that they have gained something? At present, many communities do not feel that they gain anything by

being part of the planning process, because the decisions were made in the local plan five years ago, made at a planning committee six months ago or taken completely out of their control and the only time that communities hear of a development is when the developers go on site and start laying foundations.

How do we get those engagements right? It goes back to Professor Hastings's comment about meaningful engagement and people understanding what we mean by engagement.

The Convener: I would appreciate brief answers to that, because we are getting tight for time.

Professor Gibb: The private sector is important not only in the development side but in care homes and delivering social care. That takes me back to the point about the extent to which the committee is involved in the integration of health and social care at local government level, which must embrace the role of the private sector and, indeed, the voluntary sector in delivering many of the services that local government requires.

I have a PhD student who has just started work on the third sector interface role in community planning partnerships. That is the interface with the whole third sector in each local authority area. It looks like there is a particularly challenging set of issues there, too.

Dr White: On how we respond to private sector development, there is a case to be made for local government engaging more in physical master planning. That sounds rather top down, but establishing physical visions with communities for what places will look like—where roads, services and housing estates will go—and playing a more active role in those private sector-led housing schemes would be one method of addressing the question.

Professor Kearns: I come back to a point that I made earlier about how we give a community more power at a more local level through the use of the place standard or the production of community plans.

The way to engage the private sector is to enable communities to identify opportunities—there are some things that communities want the private sector to do with and for them—and to give them more powers of veto so that they have the power to try to prevent the private sector from doing things that they do not want it to do so much. Communities have very few powers of prevention at the moment. Commercial bodies are largely able to pursue their interests, even in the face of community opposition to some things. That should not be the case.

The Convener: I thank the witnesses for attending. I suspend the meeting for a few minutes to change witnesses.

10:55

Meeting suspended.

10:59

On resuming—

The Convener: As discussed earlier, we now have former senior officials from local authorities to give us evidence for our legacy paper. I welcome George Black, visiting professor at the University of Strathclyde and former chief executive of Glasgow City Council; Bill Howat, former chief executive of Western Isles Council and former adviser to the committee; and Gavin Whitefield, former chief executive of North Lanarkshire Council.

Gentlemen, I ask you the same initial question as I asked the previous panel. What do you think characterises the committee's legacy?

Gavin Whitefield: From a brief review of your work over the parliamentary session, I think that, first and foremost, it has been about championing the role of communities and the importance of community engagement. That has been seen through the work that you have done on public sector reform and your consideration of various bills that have come before you, including the Community Empowerment (Scotland) Bill. Community empowerment is a key strand. I also picked up from your earlier questioning the importance of ensuring that all the community planning partners engage effectively with communities and that resources are available and are targeted in the best way to support the priority outcomes that are identified through that process.

First and foremost, the role of communities is coming through loud and clear, and you have put in place a framework and various mechanisms to ensure that that is built on in the next session of Parliament. The challenge will be in developing that against a backdrop of the unprecedented challenge for local authorities and community planning partnerships with the squeeze on resources. There is increasing demand for services at a time of reducing resources.

The second legacy that strikes me from listening to the earlier evidence session is the work that you did to contribute to the establishment of the commission on local tax reform. That has set in place a framework that should see changes to the council tax and, I hope, a move away from the paralysis around the council tax freeze, which is about to enter its ninth year. That will be welcomed in the interest of getting a fairer system

that can also be used to start to resource and target some of the gaps in public sector funding that will otherwise be there for the foreseeable future.

George Black: The list of areas that the committee has looked at over the past five years makes impressive reading. One legacy for the committee is that, given that the challenges in the future will be greater than the challenges in the past five years, the experience that you have gained in dealing with issues in the current session should stand you in good stead for what is to come.

Bill Howat: Thank you for the opportunity to be here today. I agree entirely with what Gavin Whitefield and George Black have said.

As someone who has had the pleasure and privilege of sitting on the other side of the table from my current side, I think that the convener and the deputy convener have already summarised some of the key legacies that the committee will leave behind, including your refreshing approach to taking evidence and your efforts to get out and talk to people. Even in your questioning today, you have attempted to avoid the usual suspects—I am sorry that you have three more in front of you. I hope that, in your legacy paper, you will highlight your efforts to do that.

Having sat with you, I know that you have taken a challenging approach, which I wholly endorse. That is the main purpose of a parliamentary committee, and I suggest that, if you can, you pass on to your successors the view that they can be even more challenging.

I would say that one size does not fit all. You would expect the former chief executive of Comhairle nan Eilean Siar to say that, but you summed it up, convener, when you said that the committee has heard evidence from many sources and that Scotland is a diverse place. For the benefit of the four committee members here who are new to me, I make the point that I spent 20 years as a civil servant, sitting in Edinburgh and dreaming up some of the top-down solutions that have not worked, so I have experience on both sides of the fence.

The committee's questioning of the academics who were here highlighted another area, which I would like to finish on. I hope that, in passing on the committee's legacy, members will draw out some principles to guide their successors rather than highlight specific issues. I would be happy to elaborate on that if the committee wishes me to.

I will give just one example that follows from a question that I heard John Wilson ask about how we can improve engagement. I think that all the committee members know the answer to that question anyway. Engagement comes best when people think that it matters—it is as simple as that. To go back to the question that was asked, why do people not engage in the planning process until they find out that a swimming pool, a pub or a casino is going to land on their doorstep? The chances are that they have never really understood the process and have only just found out.

The biggest piece of evidence for what I have said is the referendum, in which there was an 85 per cent turnout. That was because people thought that their votes mattered. The committee should be thinking about that level in passing on its legacy. There are the legacies of challenge, finding out about community engagement and, above all, finding ways to ensure that people feel that, when they express their views, they will be listened to and their views will be addressed.

The Convener: I will touch on some areas that Mr Howat was involved in during our public service reform inquiry, which was a fairly big piece of work that had three strands. At the time, we were trying to build on the Christie commission recommendations, but we often saw scenarios in which the wheel was being reinvented.

How do we ensure that best practice is exported across the country? We have attempted to ensure that. I understand what you said about no two places being the same, but things happen throughout the country that are almost the same. How have we done at ensuring that best practice is exported? How can our successors do better?

Bill Howat: I will go back to a generality, if I may, and again I hope that the subject will feature in the introduction to the committee's legacy paper. The first thing that anybody must have when they address how to change something is a good understanding of the current context. It will be important to the committee's successors that it leaves behind an explanation of more than just the five years that it covered. If I were you, I would go further than that; in fact, I encourage the committee to go back 20 years.

Local government was last reorganised 20 years ago this year, and a lot of what we are looking at and what members have heard about today flows from that reorganisation. I encourage the committee to look at the changes that have happened since that reorganisation and to think about questions such as how local is local government these days, because there have been pretty fundamental changes.

When some of the things that you have just said are put into that context, it will be found that there are a lot of well-meaning people out there in all councils and a lot of well-meaning councillors. I know that some committee members have been councillors, so they will know what goes on in

councils and the efforts that are made to communicate with and to represent and speak up for people. If members will excuse my making the point, Willie Coffey said that, as a councillor, he felt that things were done to the community and not for it, yet he was the councillor who represented that community.

I am making the point that there is a lot of good will out there. Many people are trying to follow best practice. There are the Improvement Service, academics and various think tanks. The committee has promoted best practice in its efforts to go around the country, as I know from its round-table discussions and its efforts to get people to talk together.

I do not have a magic bullet and I do not think that anyone has one. The processes are well tried, but they can be given a greater sense of direction and, above all, of the context in which things are happening.

George Black: I encourage the committee to contact professional associations such as the Society of Local Authority Chief Executives and Senior Managers and the Association of Directors of Education in Scotland. There is not a great track record of sharing best practice across the public sector. In my experience, there are always reasons why a local circumstance makes it difficult to implement something that works in a different part of the country.

Looking ahead, I think that there will be a greater willingness to adopt best practice, because every public authority will be looking to redesign the services that it provides to live within its reduced finances, and people will not have the time to reinvent everything themselves. There will be more willingness to take what works in different parts of the country and implement that. I think that that will be the case in health and social care in particular. The timescales and the pressures will demand more uniformity across the country in certain services.

Gavin Whitefield: I agree with everything that George Black and Bill Howat have outlined. I emphasise the importance of being aware of what is in place to drive the sharing of best practice through the Improvement Service, SOLACE, the other professional associations, the Scottish leaders forum and a host of other networks.

There is a link with the committee's work on progress on benchmarking and performance reporting, as one of the important areas will be to get a clear sense of where outcomes are not as good as they should be. Having that benchmarking information should provide a clearer focus for the Parliament, councils and other bodies and should enable them to identify where outcomes are not as they should be—as a result, perhaps, of best practice not having been implemented.

We are on a journey that needs to be accelerated as quickly as possible to ensure that that information is available. At the moment, comments are being made about community planning partnerships—I think that one inquiry referred to some being viewed as talking shops. In my experience, a substantial number of my colleagues do not view community planning in that way; they view it as being at the heart of service development and delivery and focusing on outcomes. The challenge is to get a clearer picture of where those outcomes are not as good as they should be and to focus on what action needs to be taken to address that.

The Convener: Let us look at benchmarking. It took a substantial time to get to where we are now, with SOLACE and the Improvement Service interacting with each other to come up with the best indicators. Was a bit more impetus put into that when the committee started to take much more interest?

Gavin Whitefield: I was not involved in the direct interaction with the committee through SOLACE at that time, but I can say that SOLACE had recognised for some time the importance of moving away from the previous key performance indicators, as the value of a number of them was questionable. There was a commitment to move the agenda forward as quickly as possible. I really cannot say whether the committee added any further impetus to that; the commitment was already there.

Bill Howat: Gavin Whitefield is absolutely right—the commitment was there. The committee has had two advisers—Alex Linkston and me—who were central to driving that forward. Alex Linkston was the driving force and I came in behind him. By that time, I was retired and had come to help.

There were two major step changes in driving forward the agenda. One was when Audit Scotland agreed that the SOLACE approach was the correct approach and said that it was willing to work with SOLACE. The second was when the committee took an interest, because the approach then became much more public at a time when a great deal of the work had been going on behind the scenes.

The short answer to the convener's question is yes. As Gavin Whitefield said, the approach was entirely agreed by SOLACE and through the Improvement Service. It eventually came through the Convention of Scottish Local Authorities and everyone came on side. The committee was a central part of that.

The Convener: In relation to coming up with the indicators, was Audit Scotland an impediment at certain points?

Bill Howat: I am sorry—by the time the process got to the stage of doing the indicators, I had stepped down from my role, so I cannot speak about that. When I was stepping down from my SOLACE role, I think that, from memory, we had developed 32 initial indicators. At that time, Audit Scotland was engaging with the Improvement Service to refine them.

I am not trying to defend anyone but, for anyone who has not got involved with statisticians, accountants and such people—the bean counters, to be rude—I can say that, as George Black indicated, you can have a good idea at one level but, when you take it down through all the other levels, you run into all the different views and vested interests. I am not decrying people, because those views are sometimes perfectly valid. However, once something starts to be driven down from the top, that can take a long time—sometimes for valid reasons.

11:15

George Black: I think that Audit Scotland had concerns about how sustainable the new benchmarking system would be and about ownership being taken up and sustained by chief executives, because its indicators had been statutory indicators, rather than what we might call voluntary indicators. A lot of work was carried out to reassure Audit Scotland that there was a real commitment.

To come back to sharing best practice, my view is that indicators will be important only if people look beneath the figures and see what is making the figures outturn at a certain level and what practice on the ground leads to that. If people can improve their performance by adopting best practice from elsewhere, that will be a success. The numbers just allow people to open the can and look at what is in there.

The Convener: I think that the committee has picked up on the fact that benchmarking is all about the service that is being delivered to the public. I know that some folk think that it is a bit of a dry topic for us to have looked at, but it is all about delivery to the folks out there.

Gavin Whitefield: Like George Black, I did not sense that Audit Scotland was in any way a barrier or that it had slowed the process. Audit Scotland was very interested and keen to see benchmarking put in place as quickly as possible. I do not sense that there were any delays as a consequence of Audit Scotland's role.

The Convener: Audit Scotland just seemed to like some of the old indicators, such as the number of library books borrowed per 1,000 people, which is kind of irrelevant nowadays to library usage.

John Wilson: I want to pick up on what Gavin Whitefield said on community planning partnerships and service development and delivery. Over the past period, this committee has looked at community planning partnerships and commented on them. Do any of the panel think that the discussions that this committee has had on the matter have influenced in any way the work that is being done by community planning partnerships throughout Scotland? We have discussions here—we make recommendations and produce reports, but does that have any impact on how local authorities deliver services? Do they start tweaking the services or do they just continue regardless?

The Convener: We should add changing of legislation to John Wilson's list.

Gavin Whitefield: Community planning partnerships draw in information from many different sources to inform how they develop their practice, so yes—the committee's deliberations and those of Audit Scotland and the other inspectorate will have an impact because they will be reflected on and taken account of in developing what is best for a community planning partnership.

It was interesting to hear in the earlier discussion about the importance of having more than just a good strategic planning mechanism in place for community planning partnerships. Transportation is important for communities, and the North Lanarkshire partnership board had involvement from representatives from the third sector and Strathclyde partnership for transport. Beyond that, we developed six local area partnerships with the intention of replicating representation at local level and having all key community planning partners working with community forums at that level. In addition, we identified a neighbourhood in which there had been a deterioration in the deprivation statistics and focused our concentration on that neighbourhood. I sense that that sort of approach is being developed across Scotland. It is about recognising that it is not just about having community planning at the strategic level and that the most important part is having planning at local level and making a difference at that level.

John Wilson: I should have made a declaration, convener. I was a councillor under Gavin Whitefield's stewardship when he was the chief executive at North Lanarkshire Council. I am therefore well aware of some of the local planning and area partnership meetings.

Bill Howat: I have been retired for 10 years and I was a new adviser on this, so I think that I should pass the question to George Black.

The Convener: You are passing the buck to Mr Black.

George Black: It goes without saying that the Local Government and Regeneration Committee is important to the work that goes on around the country. In my experience, chief executives look at what all committees in the Scottish Parliament are looking at and use that to help them to advise their councils on what their priorities should be. A lot of councils will be proactive and ask what they are doing at local level about the issues that are important around the country. When a report comes out from the committee, councils make sure that they are on the mark and are not starting without having considered the issues. As I said, it goes without saying that attention will be paid the to the issues that the Local Government and Regeneration Committee is looking at.

If I was to put a question to the committee, I would ask whether you are having any difficulty in getting people to give evidence. If you are not, that shows how important the committee is seen to be around the country. If you start to experience difficulty in getting people to come forward, that will be when you should look at what you are doing.

The Convener: Some folk have tried to dodge the bullet by not coming, but in all fairness, under George Black's stewardship, we had no problem getting witnesses from Glasgow City Council.

John Wilson: You all heard our earlier questions to the academics. It is fair to say that the main thrust of the committee has been to push communities' engagement with the decision-making and planning process. The committee's report on the Community Empowerment (Scotland) Bill quite rightly argued a strong case for communities to be involved right from the start. Has that been taken on board by the range of agencies, local authorities, community planning partnerships, local area partnerships and area management committees—as Glasgow still calls them? Has enough been done to address some of the issues that have been identified?

When we were carrying out our inquiry, we went to Govan and heard very vocal community activists talking about the lack of engagement of Glasgow City Council with communities in respect of the value of the vital services that are delivered to the communities. They felt that they were being excluded from the debate or were not being listened to by the local authority, which was not taking forward their issues.

George Black: Over the years, there has been progress made in community planning and in engaging with communities, but clearly much more progress has to be made.

To state the obvious, one of the issues with Glasgow is its size. When I was chief executive, there were 10 community planning partnerships, which meant that there were 60,000 residents in each area, so engaging at the very local level was quite a challenge.

During the earlier evidence reference was made to the thriving places initiative, which was at an early stage when I was chief executive. That initiative tried to get right down to the level of what people would recognise as a community and then engaged with it.

Again, looking to the financial challenges ahead, communities will demand to be more involved in processes because there will be greater awareness of the level of change that will take place across the public sector and will impact on them. I think that communities will demand that all organisations—the health service, the police or fire services or local government—engage with them in a co-ordinated way. Community planning partnerships have a key role to play in that.

Gavin Whitefield: There is an absolute commitment at local level to community engagement. The committee has been frustrated because it can be done better, but that relies on people coming forward and being willing to engage. In the earlier part of the meeting Jayne Baxter made a point about the important role that MSPs play. MSPs and councillors are in the community—they talk to people in the supermarket and in the street. We have councillors at local level and MSPs at national level—they are the people who take account of views as policy, strategy and legislation are shaped.

Bill Howat: I hark back to my time in Comhairle nan Eilean Siar. One of the issues that I know the committee has grappled with, particularly in the community planning context, is use of the word "community". In the debate, I have heard some very general language being used about community engagement. As was said at the beginning, Scotland is very diverse. In my time in the Western Isles, our communities were very vocal. We had 31 councillors and 31 community councils, to which we devolved certain functions.

That brings me to the point that I made to John Wilson. When a budget is allocated to a group of people—the budget that was allocated to community councils in the Western Isles was very small; it was mostly to do with burial grounds, which are a very big issue in the Western Isles—suddenly there is real community engagement. In the places in the Western Isles, there is a clear sense of local identity. Any members who have

been to the Western Isles will know that. It is very different from somewhere like Glasgow or North Lanarkshire. It was interesting to hear George Black say that there are 10 community planning partnerships in Glasgow. From memory, I think that we are talking about a population of about 600,000, so each of those partnerships covers about 60,000 people—each is nearly three times the population of the Western Isles.

Therefore, we need to be careful in our use of language. That is why I asked the committee to set the context in its legacy paper and to acknowledge that something that works in one place might not readily translate elsewhere, as George Black said. Does the Western Isles CPP have regard to the work of the Local Government and Regeneration Committee? Absolutely, but it will do so in the way that George Black suggested. The chief executive and the officials of the various organisations will submit papers to the committee and will have regard to what it says, but after that it is a bottom-up process. What comes down from the top does not always play well down at the bottom, as members will be well aware. People react to what comes down from the top. That is why I made the point about the importance of context. Things play out differently in different places.

I know from working with the committee that that is its experience. When I worked with the committee, we had a debate about what communities are. They are not necessarily localities; there are also communities of common interest to which it is necessary to have regard. It is a complex business. That is why I think that, in handing over its legacy, the committee should draw out some general principles and give some guidance on what issues the successor committee might want to address.

John Wilson: We could have a debate about coterminous boundaries in the health service and local government. That works in some areas, but it does not work as well in others. The police, health boards and other services all have a role to play in community planning partnerships.

I have experience of a community that tries to be actively engaged. The committee considered the Community Empowerment (Scotland) Bill and wrote a report on it. It is now the Community Empowerment (Scotland) Act 2015. Is there a view out there that local authorities hold back from being proactive in developing strategies? At the end of last week, a report came out that said that, when it comes to community empowerment, one local authority is, in effect, saying, "We'll just hold back until the Government issues the guidance."

Through our debates and the evidence from witnesses, we are trying to give a steer to everybody who will listen. We hope to get organisations—particularly local authorities—to become more proactive in their approach, rather than waiting for Government legislation or guidance. Do you think that local authorities are taking the issues on board? My experience—I was told this last week—is that some local authorities are clearly still waiting for the Government to provide guidance, despite the good work of the committee and the evidence that it has heard.

11:30

Gavin Whitefield: The backdrop to the Community Empowerment (Scotland) Bill was the need to improve community engagement. A key element of that is community planning and the bill sets out an absolute commitment to that.

I do not know what local authority John Wilson was referring to. I can refer only to my experience in North Lanarkshire. In February last year, a corporate working group was established in North Lanarkshire to track the final stages of the Community Empowerment (Scotland) Bill, and to ensure that the authority and the community planning partnership were geared up to deal with all its consequences and to address the opportunities that it sets out.

Just before I retired, we had a senior management briefing with over 100 senior managers from across the council. A key presentation was on community empowerment. There was recognition of the wide-ranging measures in the Community Empowerment (Scotland) Act 2015 and how they should be addressed. The challenge will be addressing those against the backdrop of unprecedented continuing challenges to council budgets.

George Black: It is a matter of degree. I would be surprised if any council sits completely on its hands when it knows that something is going to happen; the council will make progress on the issue, but it may not finalise the detail because it knows that guidance is coming.

I will come back to my point about the professional associations with, and linkages to, civil servants. Local authorities will be well aware of the main thrust of the changes that are coming and should keep pace. For example, it took time for health and social care integration to hit the statute books, but nobody was sitting and waiting until it did before they started preparing. Local authorities are progressing—although I accept that some will progress more than others, depending on local priorities at the time.

Bill Howat: I am going to take off my ex-chief-executive hat and put on my ex-civil-servant hat.

There are 32 councils in Scotland. George Black's point—that they all progress at different

speeds and in different ways—is absolutely valid. On John Wilson's point, councils are all different and so will have different views on how any piece of guidance or legislation should be implemented. During my civil service career, I had the misfortune to lead the team that introduced best value in Scotland—Gavin Whitefield, in particular, will remember me for that. That was a very interesting exercise because the 32 councils all behaved very differently and it took us quite a long time to get any kind of consistency across the board.

On the committee's legacy, the danger of any guidance or legislation is that it can become a tick-box exercise. The whole concept of best value began to grind to a halt when we started giving people checklists. Suddenly they could just say "I've done that, I've done that and I've done that." Best value was supposed to pervade everything that councils did, but instead people were allocated jobs so that the council could say that it had jumped through the hoops.

That was in the very early days. I think that things have moved on a lot since then. However, that example probably illustrates the point that George Black made. Going by John Wilson's smile, I think that he has probably experienced that as well.

John Wilson: There were 32 different interpretations of best value. In fact, there were probably more than that, but that is another story.

George Adam (Paisley) (SNP): Following from what Bill Howat said, I will talk about my experience with my local authority when it tried to devolve things to local area committees. As the convener of one of those committees, I tried to engage and make sure that people were involved, but they seemed to be interested only in getting a grant allocation at the end of the meeting. It almost got to the stage where I had to point out that what we were discussing was very important.

Is not this also about how we engage with the public in meetings? Although attendees are the usual suspects a lot of the time, they do not know, for example, how to translate a council officer's interpretation of an issue into plain English, so it almost becomes a tick-box exercise. The officer may be quite happy that the issue has been passed to all the local area committees, but the public do not know what is happening. Is the problem that we do not communicate properly? Without someone getting a "Looney Tunes" Acme Corporation big finger and pointing out what the issue is and then asking for it to be dealt with, people do not know what the issue is.

The Convener: I am laughing to myself about the image of a "Looney Tunes" Acme finger. The committee has tried to get folk to use plain language. Do you have a comment on that issue, gentlemen? There are times when we get papers from councils—we get them from the Parliament, too, it must said—and we have to look at them two, three or four times before we can get the gist of them. In some cases, we do not get the gist of them at all.

Bill Howat: I will start, given that George Adam's comments were addressed to me. The gentlemen on either side of me have more immediate experience of the issue. As you are well aware from my time as the committee's adviser, I sympathise entirely. The issue harks back to the previous academic panel, which commented that it is one thing to engage, but that unless people understand the context—I am sorry to use that word again—of what is happening and what influence they can have over it, engagement can be counterproductive.

If people are called to a meeting at which they think that their views will mean a change but all that happens is that they are advised that a change will take place and that they might get a chance to comment on that change, you are on a sticky wicket. Dealing with the situation comes down to best practice, experience and better education.

Your committee's community engagement to get, if you like, the lesser rather than the usual suspects, is a big step forward. If word starts to get out that people can come in front of this committee and express their views—and that they will be heard and reacted to, and fed back into the system—that will be a good thing. You will have noticed that I said "fed back into the system". That is the key point. People must understand that they do not come in front of this committee and say X, Y and Z and that you say, "You're right. We'll get something done about that." They must understand what happens once they are here. That is true of anything.

The planning examples were interesting. Sitting here today, I can dream up anything I like, go to the relevant council and get outline planning permission almost immediately. I do not have to consult anyone; I can get a start in the process. There is discontinuity in that.

That said, I have a word of caution. I was interested in Dr White's experience of Canada. He talked about "visioning things". Doing that is one thing, but it is usually very different once those things become a practical reality, and you can bet your boots that somebody out there was not part of the vision.

We must recognise that the systems that we have, however imperfect, have been built up over a long time. We must improve them, but we must also get people to understand that point.

I have one more point, on which I am sure that my colleagues will agree. One of the biggest problems in local government and, I suspect, in any public service, is that most of the public engage with it only when they need it.

The Convener: One thing that I must say, Mr Howat, is that appearances in front of this committee often lead to substantial change quite quickly. I give the example of our visit to Dumfries, which led to two changes. A gentleman from the Scottish Woodlot Association was in front of the committee and his evidence led to a swift amendment to the Community Empowerment (Scotland) Bill to advance the cause of smallholders in forestry. During the visit, we also came across a difficulty with an organisation called the Usual Place and a lease. With our intervention, we got the council to resolve that matter, too.

It is not just a case of people entering the system, or the sausage factory. In our legacy paper, we must show that coming here often leads to tangible change to folks' circumstances.

Bill Howat: I accept that entirely, convener. Those were good examples, but my point was a general one of principle about the process of government, as I am sure that you will appreciate.

The Convener: Indeed.

Gavin Whitefield: It is important that, in all mechanisms for engagement, we use plain English and do not use the language of local government, health, police or whatever. People must be able to relate to the issues that are being debated at meetings so that they can contribute. Part of that process involves building up capacity and building up understanding of the system.

Often, there is an assumption that someone who is engaged in a local community organisation will, through that engagement, already be aware of how the council and community planning operate. One of the recent developments in North Lanarkshire is an induction programme for community planning, which is designed to address that issue and ensure that everybody operates with the same level of expertise.

George Black: I do not deny that improvements can be made with regard to communication in plain English. However, in my experience, the greater frustration that people find in engaging with the system involves its complexity. When people get involved in issues in a short meeting, it is quite difficult for officers to explain the context of what people are looking at, particularly when they get into issues around finance and the difference between capital and borrowing, operating expenditure, ring-fenced budgets, housing accounts and what can be done under the rules that exist. People find that frustrating.

We have found that, when people are engaged in an all-day session on the budget process that involves, initially, them being helped to understand the wider context, their priorities are affected as a result. For example, if you asked someone in the street what their priorities were out of education, social work and so on, you would get a different answer from the one that you would get from someone who understood what the real choices were and what the implications of those choices were.

I do not deny that communication is an issue, but I think that the frustration arises more often from getting to grips with a quite complex system.

George Adam: When I was in local government, the issue of the single outcome agreement was important to the members of the local area committee, but they tended to fly through that because it was a formal and almost tick-box part of the proceedings. The councillors on the committee knew exactly what it meant, but it was not easy to translate. It was frustrating to try to create a debate around that. It was difficult, because it could not really be hung on to the actual agenda item that was being discussed. That is the kind of thing that I am talking about. We need to create a debate so that we do not have people turning up with burning torches like something out of a Universal horror film from the 1950s. When something happens, people should already have had an opportunity to discuss the issues and have the debate. If we can find a way to have the debate before we get to the change of service, it is a lot easier to get community buy-in—we often hear about that, but do not often experience it.

George Black: Just to clarify, there were no burning torches in Glasgow.

The Convener: George Adam hits on an interesting point. The three words, "single outcome agreement", are quite difficult to explain to people. Again, that demonstrates how the use of language can often put people off. I see people nodding their heads.

George Black: Even worse, it would probably have been referred to as an SOA. The use of acronyms is widespread.

Bill Howat: I recall a discussion during the time when I was an adviser to this committee, in which members tried to get the witnesses to tell us what they thought an outcome was. We got some quite varied answers.

The Convener: I remember that session. It was somewhat bizarre.

Jayne Baxter: I have a point to make about language and the use of acronyms and initials. I used to be a community planning officer and,

when Bill Howat mentioned best value, the phrase "the four Cs of best value" came to mind. Even though that phrase was drummed into us, I cannot remember what the four Cs were. Rather than being about understanding the concept, what seemed to be important was the mantra. That applies to those who are charged with implementing policies and the community that is on the receiving end of them.

11:45

Willie Coffey: I take the point that we should perhaps look back 20 years to when local government was reorganised and see how well it is working, but I am interested in looking ahead, perhaps to five years from now. If we look ahead and try to set out the principles that Bill Howat mentioned about what we could inject into our work, I would like us to be able—if we are sitting here in five years' time—to look back and see that we had moved things on and that there was better public engagement, participation and all those words that sound great, but sometimes do not mean very much.

I am keen to find out whether you think that things like the Community Empowerment (Scotland) Act 2015 give us the opportunity to make progress and develop. My current view is that the public are still drawn into systems and processes that are determined by the council and are on the council's terms. In that sense the public do not feel that they have any control or power over the process. Is there any way to really empower communities through legislation such as the 2015 act, which will begin to open up that process, so that we might see communities shaping policy development from the ground up in future?

Bill Howat: First, can I explain that when I said that I was setting a context and my starting point would be 1996, I was not suggesting that you should do a full-scale review of everything that has happened. It would be interesting to ask some questions and I will elaborate on them, if you wish.

In response to your question, the difficulty that the committee faces is that it contributed to and developed the Community Empowerment (Scotland) Bill, which Parliament has now passed and which will have guidance and statutory secondary legislation attached—I apologise that I am not familiar with the detail of the bill, although I know the principles—and that that then puts the process into the very system that you have just described. Yes, the committee can have people in over the next five years and ask them what they are doing to fulfil the requirements of the bill, but you must recognise that the very fact that it is part of a legislative framework makes it part of the system.

In contrast, a lot of the work that I have seen the committee doing over the previous five years was breaking out of the system and getting people to come to the Parliament who would not otherwise be here and encouraging them to say the things that they felt otherwise could not be said. I have vivid memories of the man from the east end of Glasgow sitting there at the table who was asked what the difference was between GEAR—Glasgow eastern area renewal—and the Clyde Gateway.

The Convener: Wee Jimmy.

Bill Howat: Jimmy summed it up in a sentence when he said something like, "The first lot came with a pile of money and told us how they were going to spend it and this lot came with a pile of money and asked us how we would like to spend it." To me, that was quite refreshing and he put it in a nutshell. I know that members of the committee were very impressed that the Clyde Gateway people had brought him along, although I am not sure that they knew what he was going to say, which was fascinating.

That is where the committee's work has been so good over the past five years and where you wanted to push it. In a sense, having the Community Empowerment (Scotland) Act 2015 means that people will be looking at the legislative framework, yet the questions that you have put to us and the thrust of the questions to the earlier panel suggest that you want people to work together, to learn from best practice, to interact and to get wider engagement.

As I said at the beginning, I do not have any magic or silver bullets that will solve that one, and a lot of what you have heard is things that have been done before. I do not know where the magic is other than in what I said to John Wilson right at the beginning. If people think that their view matters, they will engage. That is such a simple principle, but if you can take that, run with it and set it in the right context, you will have a big impact.

George Black: If I look at the information that you provided on the issues that you were thinking about looking at—council tax reform, health and social care integration, community empowerment and city deals—they are all big meaty issues that are relevant to the public sector, but they are also relevant to individuals. Any reform of local taxation will get a lot of attention from individuals. One of the big challenges of health and social care integration is how services are redesigned and how people are involved in what works for them. There is a great deal of expectation around the 2015 act and the greatest challenge is in delivering on that expectation.

One area that I would encourage the committee to look at over the next five years is how much is being done on early intervention. If my memory serves me correctly, the Christie commission report came out five years ago in the summer and, with the financial challenges ahead, we have reduced budgets but increasing demand. If all that authorities do—and it will be a big all—is address the financial challenges without addressing the demands that are coming down the road by looking at early intervention measures, the problems in five years will be even greater.

I encourage the committee to consider that point because that would lead to greater emphasis being put on early intervention by authorities, harking back to our earlier conversation about how what you have on your agenda tends to feed through to what people are looking at.

Gavin Whitefield: If I think about what this committee would want to see as an outcome, it is important to recognise that although you should look at all the items that you have correctly identified as the big issues over the next five years—community empowerment, health and social care integration and so on—many of those issues are a means to an end. The end is better services and better outcomes against the backdrop of massive financial pressures.

If I were here, I would want to be able to say at the start of the new session, if we look at the priorities that are set at a national level, and then at the priorities at the local community planning partnership level, we find that although the terminology may be different, the themes are similar—better health and care, better health and wellbeing, lifelong learning, better educational attainment, regeneration, improved employment opportunities, reduced unemployment, community safety in terms of reducing crime levels, better safety outcomes on the roads and in homes, and addressing inequality.

I come back to my earlier point about getting in place, through the benchmarking framework and the single outcome agreements, a clear picture of where things stand at the start of the next parliamentary session and where you want to see them at the end of the session, using all the focus around the areas that you have identified to support that process.

One specific area that you might also want to consider concerns the committee's regeneration remit. You have looked very much at community regeneration, but it might merit looking at infrastructure investment as well, which links in with another of the Parliament's committees. You could consider the role of infrastructure investment in supporting regeneration outcomes, where you have projects that could be linked. There is the experience in North Lanarkshire with regard to Ravenscraig and the city deal. Perhaps rather than just looking at the city deal, you could look at all the infrastructure investment that has been made and whether that has been best channelled to support the better outcomes that we have already referred to.

Willie Coffey: Do you think that the ordinary man and woman in the street in places such as my constituency, Kilmarnock and Irvine Valley, are looking at all these systems and processes and the community empowerment bill and all the rest of it and going, "Great, now we will get a chance to really influence things"? I suppose that I am looking for the magic ingredient that could make that happen and move us towards that. I do not get the sense that that is the case yet. I hope that it might be, but I do not get the sense that the public is saying, "Brilliant, this is really going to give us a chance to influence things in the Scottish Parliament and our local council." I am asking for your help here to point us in that direction and tell us what that catalyst might be to get people to engage with us.

The Convener: Who is going to take a crack at that first?

Willie Coffey: It is about making it matter to them. We think that all the work that we do matters to them, but sometimes they do not know that we are doing it or it is too late or it is halfway through. How do we do it better, earlier, quicker, smarter and so on?

George Black: I will make a stab at answering that. I think that it comes back to the point about language. For example, what does a "city deal" mean to somebody who is not involved in it? However, if the language is about jobs and opportunities for youngsters, it is easier to get people engaged in that. That is a challenge for politicians, to turn back the question. How do politicians take the language that we all work in and turn it into something that is relevant to people?

Bill Howat made the point about the guy from the east end who clearly understood the difference between GEAR and Clyde Gateway and was able to explain it in his own words. That is a good example of being able to get over to people why it matters to them.

The Convener: He most certainly did understand, as well.

Gavin Whitefield: I do not have a lot to add. I listened to your earlier discussion on the issue and I know that you will have thought about this, but I reiterate that we are now in a completely different place given the technology that is available, and we can get that engagement through social media and digital. Rather than reflecting where we were 20 years ago in thinking about meetings,

arrangements and how we engage with people, we should consider the massive opportunities that we have through the technology and embrace it in a way that gives people even more powers than are set out in the legislation.

Bill Howat: I had a thought while I was listening to Willie Coffey. I am sorry, Willie, but I think that you are absolutely right to say that it is highly unlikely that the ordinary person in the street in Kilmarnock and Irvine Valley is rubbing their hands in glee, but the thought crossed my mind that, if we could find a few champions like the gentleman from the east end of Glasgow—not officials like us, and maybe not even councillors, but people who are direct community representatives who are willing to go out and explain things in language that other people can understand—that might be one way forward.

I come back to what I have been saying all the way through this discussion. When we go to somebody in the street and say to them, "Here's an issue," it happens in a context that can be quite complicated. You have highlighted that, convener, and George Black did so quite graphically.

Our council did not get involved in this, but since I retired many councils in Scotland have gone through an annual budget consultation exercise in which leaders, finance conveners, chief executives and directors of finance go out and say to people, "Here's where it's at," outlining the kind of choices that Gavin Whitefield and George Black have reflected on. At the end of the day, as George Black rightly said, that ends up in an argument about what is going into which budget. It does not get to what the committee and the rest of us want in terms of actual outcomes. It is a budget consultation exercise. However, that approach engages the public far more because—I return to my starting point—people think that it matters, and their voices are heard. That is the key to all of this.

The Convener: On Willie Coffey's last question, I note that, even without the Community Empowerment (Scotland) Act 2015 being in force, many organisations and communities throughout the country are already running various organisations and are in charge of the budgets, yet they seem to be hidden from view. How do we communicate that, sometimes, it is not necessarily a change in legislation that is required but a change in attitude in certain places—and, beyond that, for the powers that be to trust local folk to do what is right for them in controlling those resources.

Does anyone want to take a stab at answering that?

Bill Howat: Can I be controversial?

The Convener: It's nae like you, Bill, but on you go. [*Laughter*.]

Bill Howat: You can set an example. One reason why I would like you to set a context for what has happened since 1996 is that, if you go back over it, I think you will find that there has been a process of centralisation going on across all parties and all Governments—Westminster and Holyrood. In my view, that is contributing to a certain disenchantment and people thinking, "It doesn't really matter whether we vote." I can quote examples if you want, but you know them. We need to ask why people are not engaged at a local level as much as they should be and, in my view, the answer is that they do not think that it would make a great deal of difference.

I take your point, convener. You are absolutely right, and we should pay tribute to the many active groups out there, many of which are in charge of budgets, as you rightly say. However, at the end of the day, they all come back to the situation that George Black described. They are working in a context, and in many cases, to pick up George Adam's point, they are working in a situation in which the grant is more important than what they are doing with it. The grant is going to be cut year on year or whatever, so it becomes critical. As Gavin Whitefield said, if the focus becomes the finance and stops being the outcomes, we do not get the engagement that we seek.

It is a difficult thing to deal with and I do not know the answer, but we can learn a lot of lessons by looking back over the past 20 years at how the changes have come about through what I call creeping centralisation. By the way, I am talking not just about functions but about money and lots of other things. The way in which the rates support grant and the local government finance settlement have been used over the past 20 years is worth a study in itself, to be frank.

I give John Swinney credit for getting rid of most of the ring fencing back in, I think, 2011. However, let me be equally controversial and say that the Parliament has been around for 17 years but, despite having charge of—as I recall—two taxes up to this year, it has never exercised those powers. I am not arguing against that, but the one place where the Parliament—or, I should say, the Government—has chosen to exercise its power is in imposing a council tax freeze, which is actually the responsibility of local government. I would argue that that is inconsistent and needs to be addressed.

I promised you that I was going to be controversial, convener.

The Convener: I expected nothing less. Do you wish to comment, Mr Whitefield?

12:00

Gavin Whitefield: I agree with everything that Bill Howat has said. The sharing of best practice, which was mentioned earlier, is one way of addressing this matter but, picking up on Bill's point about empowerment, I think that local government is arguing for greater empowerment, whether that means a focus on outcomes instead of inputs or, for example, a focus on teacher numbers in order to provide greater flexibility in the use of resources.

This is also about forward financial planning. As one of the bean counters that Bill Howat referred to earlier, I simply note as an example that councils have argued for three or four-year forward financial plans to give certainty to organisations, service users and employees. I have always argued that the same organisations should be passing that on to voluntary and community organisations and giving them the same trust. Ownership has to be taken at national Government and local government level so that we practise what we preach. If we are arguing for empowerment ourselves, we should be giving the same to community organisations and supporting that approach as much as we can.

George Black: We have talked about the sharing of best practice or otherwise and the idea—my idea, anyway—that people might be more willing to look for good ideas. There are plenty of good ideas around the country, with local groups taking control of services or assets, and the challenge is to get the message out in a way that people can usefully pick up.

Moreover, I think that when we look at best practice, we also need to get down to the nub of what makes a project or a change work. For example, Clyde Gateway, which Bill Howat mentioned, has been highly successful not because it is an urban regeneration company but because its leadership are focused day in, day out on that particular area. That is their single focus, and what makes everything work is the quality of that leadership. If people can take a model as best practice but add to it what will really make it work on the ground, they will be more than willing to pick up these kinds of ideas in future.

John Wilson: Following on from George Black's comments, I think that the committee has to recognise that many communities out there are doing things for themselves on small budgets, because local government, central Government, health boards and other agencies have failed them and they have realised that they are the only ones who can deliver the services that they need. Part of the aim of the community empowerment legislation was to give credit to the organisations that are doing that and—this comes back to Gavin Whitefield's point—to ensure that local authorities and others give financial support to community organisations that are delivering vital services today, tomorrow and in future.

The Convener: That was not so much a question as a statement, but there we go.

The Parliament often gets criticised for not doing enough post-legislative scrutiny, and we often do not revisit previous reports to find out whether recommendations have been implemented or whether they have changed anything. Do you think that the successor committee needs to do that kind of work?

Gavin Whitefield: It is important for that process to be in place, but I would caution against embarking on such a review process too early. I often think that when major initiatives are taken forward at national and local level, you are no sooner into them than they are being scrutinised. There needs to be adequate time to enable the legislation to be put into place and to become effective, and we need to think carefully about the timing of scrutiny to ensure that there is a reasonable track record of implementation to review.

George Black: What you have suggested is a good idea, convener, but I agree with Gavin Whitefield that timing is essential. For example, Audit Scotland's recent report on health and social care integration has added to the pressure on local partnerships to deliver in their first year of operation. With any major change, it is a pretty tall order to demonstrate success in the first year, and the scale of that change will make that even more of a challenge.

I encourage you to go back and look at issues, but the type of issue that you look at should be relevant to the time period. For example, do not start asking local partnerships about health and social care integration only six months after next April—unless, of course, you are asking whether they have the fundamental structures in place. That said, it would help chief executives, leaders and politicians throughout the country if they knew that things were going to be revisited further down the line.

Bill Howat: What you have suggested is, in my view, critical to any system. After all, you learn lessons only by carrying out regular reviews.

However, it is vital to bear in mind the caveats that my colleagues have highlighted. I suggest that, when you do such work at the appropriate time and in the appropriate way, you make sure that you look for best practice with a view to sharing it and that you avoid the inspectorate-type approach, because that can lead to a tick-box exercise and defensive attitudes. In addition to timing, how such a review is conducted is a critical issue.

As I said at the beginning of the session, I am very impressed that the committee is writing its legacy paper—I wish you well, and I look forward to seeing what work your successor committee will carry out—but I hope that, in that paper, you will set out a context and make it clear that reviewing things at the appropriate time and in the appropriate way should be one of the key lessons and principles for the committee in future.

The Convener: Thank you very much for your evidence, gentlemen. We will now move into private session.

12:07

Meeting continued in private until 12:30.

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