



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# LOCAL GOVERNMENT AND REGENERATION COMMITTEE

Wednesday 21 May 2014



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**LOCAL GOVERNMENT AND REGENERATION COMMITTEE**  
**15<sup>th</sup> Meeting 2014, Session 4**

**CONVENER**

\*Kevin Stewart (Aberdeen Central) (SNP)

**DEPUTY CONVENER**

\*John Wilson (Central Scotland) (SNP)

**COMMITTEE MEMBERS**

\*Cameron Buchanan (Lothian) (Con)  
\*Mark McDonald (Aberdeen Donside) (SNP)  
\*Stuart McMillan (West Scotland) (SNP)  
\*Anne McTaggart (Glasgow) (Lab)  
\*Alex Rowley (Cowdenbeath) (Lab)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Councillor Susan Aitken (Glasgow City Council)  
Councillor Steve Burgess (City of Edinburgh Council)  
Councillor Peter McNamara (North Ayrshire Council)  
Councillor Mac Roberts (Perth and Kinross Council)

**CLERK TO THE COMMITTEE**

David Cullum

**LOCATION**

The James Clerk Maxwell Room (CR4)



## Scottish Parliament

### Local Government and Regeneration Committee

*Wednesday 21 May 2014*

[The Convener *opened the meeting at 10:15*]

### Decision on Taking Business in Private

**The Convener (Kevin Stewart):** Good morning and welcome to the 15th meeting in 2014 of the Local Government and Regeneration Committee. I ask everyone to switch off mobile phones and other electronic devices as they interfere with the broadcasting system. Some committee members may consult tablets during the meeting, but that is because we provide papers in digital format.

Agenda item 1 is a decision on whether to take items 3, 4 and 5 in private and on whether to consider our work programme in private at a future meeting. Are we agreed?

**Members** *indicated agreement.*

## Flexibility and Autonomy of Local Government

10:15

**The Convener:** Agenda item 2 is an oral evidence-taking session for our inquiry into the flexibility and autonomy of local government in Scotland. We have one panel consisting of the leaders of the opposition parties from a cross-section of councils. I welcome Councillor Mac Roberts, leader of the Scottish Conservative group in Perth and Kinross Council; Councillor Steve Burgess, leader of the Scottish Green Party group in the City of Edinburgh Council; Councillor Susan Aitken, leader of the Scottish National Party group in Glasgow City Council; and Councillor Peter McNamara, leader of the Scottish Labour Party group in North Ayrshire Council. As none of the witnesses wants to make opening remarks, we will move straight to questions.

Committee members have visited Germany, Sweden and Denmark to look at how local government operates there. Those countries give local government a constitutional standing and have various other legal frameworks that show the position of local government in their country's governance structures. Would it be helpful if there were a constitutional place for local government in Scotland? The concordat between the Scottish Government and local government deals with certain matters, but we are interested in whether there is a need to give local government a constitutional place.

Perhaps Councillor Burgess will start us off.

**Councillor Steve Burgess (City of Edinburgh Council):** I thank the committee for inviting me to give evidence. As you have said, convener, local government's place is protected and enshrined in the constitutions of many other European countries, and it would be useful if local government in Scotland had the same. Were Scotland to become an independent country following the referendum, any proposal for a new constitution might provide an opportunity for enshrining the position of local government in it.

That is important because it would give local government its own standing in the eyes of the public, and it would not be at the behest of central Government with regard to any change in or abolition of that standing. Along with enshrining the existence of local government in a constitution, you could, as in other European countries, also enshrine some of its responsibilities. That would be a welcome move.

**Councillor Mac Roberts (Perth and Kinross Council):** Thank you for asking me along to give

my opinion on your questions. Given that we do not have a constitution, it would be very difficult to enshrine local government in a constitutional format. Flexibility is all about being able to change things more easily without being bound by a constitution, and I feel that that is the way forward.

**Councillor Peter McNamara (North Ayrshire Council):** I slightly disagree. In all the time that I have been involved in local government, there has been a discussion about parity of esteem. I am keen on and honestly believe in parity of esteem because, like Councillor Burgess, I believe that local government should be enshrined in a constitution not only to protect it, but to give it its place in Scottish society. I am very keen that we are, if you like, protected by a constitution. Indeed, protecting local government's activities is another crucial part of what we would be looking for.

I have a fear of a centralising agenda, regardless of which party is in power. At the moment, there is talk of centralising education. I have a real fear that that could happen, and unless and until local government's role in education is protected, we should all be extremely concerned about that.

**Councillor Susan Aitken (Glasgow City Council):** I largely agree with what Councillor Burgess has said and with much of what Councillor McNamara has said. In the event that we had a constitution in Scotland, it would be right for local government's place to be enshrined in it in the way that Councillor Burgess described.

As far as powers are concerned, that is a matter for discussion as part of whatever method we come up with across Scotland for devising a constitution. There must be flexibility. The view of the Christie commission and more generally is that partnership is the way forward in local government. Therefore, we should be aware that powers that we enshrine for local government might be shared with other organisations and bodies in the future.

As for the status of local government and its place in Scottish society, parity of esteem would, as Councillor McNamara has said, be extremely useful. Perhaps its biggest impact would be on the confidence of local government. Inevitably, there will always be a certain amount of tension between central Government and local government, regardless of the party-political set-up at any time. Having a constitutional position would give local government the confidence and the assuredness to relax a little and perhaps to innovate more, knowing that it had that protection.

**The Convener:** Thank you very much—that was very useful.

Parity of esteem has been mentioned; Councillor Burgess has talked about local

government's standing in the eyes of the public; and Councillor Aitken has referred to its place in society. I note that, in other European countries, turnout for local government elections is much higher. Do parity of esteem and a better standing in the eyes of the public contribute to that?

**Councillor McNamara:** I cannot honestly say whether there would be a higher turnout in local government elections if local government had parity of esteem. In my experience, the workings of local government are not widely understood by the electorate. I do not know whether that is because people do not care or because they do not understand the power of local government until they need something. It is when there is a difficulty that they stand up and shout at their council. They never think about local government when something goes well—for example, when the streets are no longer dirty because litter is being collected.

Whether local government having a better standing would make people come out and vote, I cannot say, but I think that people would come out and vote if there were an understanding that local government had protection and if there were a greater understanding of the work that councils do. I do not think that we do enough to educate and inform the electorate about our work, although we try hard to do that in North Ayrshire. It is a question whether people view their council as a powerful organisation. If they do not get what they want, they will go the next level up to their MSP or their MP.

I want local government to have parity of esteem. Once it has gained that and once people understand where their council is in the scheme of things, they will be much more likely to participate in voting for an individual in their area to protect the facilities and services that they get.

**Councillor Roberts:** The first thing that I would like to say is that it is not possible to legislate for esteem; it has to be earned.

**Councillor McNamara:** Indeed.

**Councillor Roberts:** With regard to turnout in local elections in other European countries, I know only the French system, which operates at a far lower level than ours. People know who the mayor is and who his councillors are, whereas many people here do not know who their local councillors are or even who the provost is. There must be an ideal size of unit at which people feel more involved in the locality, know the people involved and are therefore prepared to turn out and vote for them in local elections, which would be hard fought.

**Councillor Burgess:** In Edinburgh, as in other parts of Scotland, our voter turnout at the previous local government election was low. It was just

under 40 per cent, which was a wee bit higher than in the rest of the country but still very low. Worryingly, turnout varied from 7 to 60 per cent in different polling districts, so people are clearly choosing not to take part in elections.

I agree that, at least to some extent, esteem has to be earned, and in Edinburgh we have faced challenges in maintaining esteem for local government. Recent challenges have included the tram and the shared repairs service, and the council is working to rebuild its esteem with local people over those initiatives.

Although enshrining local government in a constitution would help raise its esteem, I think that if we are to address people's fundamental willingness to take part in local government elections, we need to make local government relate to their lives. They need to feel that local government is making decisions and has powers, including the power to raise local taxes, that affect their lives. Although constitutional enshrinement might be important, there are probably other things that would help with low turnout and low engagement with the council. Perhaps we will discuss some of those later.

**Councillor Aitken:** I do not think that a constitution, in and of itself, will directly improve turnout. As other witnesses have said, there is a much wider range of issues at stake to do with political engagement in general and the esteem in which politicians are held, regardless of the level at which they are elected. However, as Councillor Burgess has said, a constitution could have an impact on engagement and on directly empowering communities, citizens and neighbourhoods.

It comes back to the question of having constitutional protection that gives local authorities—both local government as a body and individual authorities—confidence in their own status to start to devolve their own power down and to empower their electors and communities much more. If local authorities feel that they are not threatened—and if local government feels that its status is not threatened—they can perhaps start to let go some of their power and think less about ceding power and more about sharing it with the people who directly elect local representatives.

That is where we need to make the difference if we are to start raising turnout and political engagement more generally. We must make people feel involved, give them that direct involvement and empower them to become involved.

**Councillor McNamara:** I whole-heartedly agree. The way for a local elected representative to gain esteem is to be seen working in the community, not just dictating to it.

One of the things that we have enacted in our area is locality planning, in which an area is or asks to be selected and all the services that should be working in that area such as the police, social work, community workers, wardens, the housing department, cleansing and so on come together to address the issues in the locality. It is crucial to that process that the elected representative, instead of directing things, is actually on the ground working in the locality and is seen to be taking up the issues that have been raised. If they are seen as hard-working locally elected representatives, the esteem in which they are held will rise and the community will have a much better understanding of the activities of local government, where they need to go to get a problem solved and how they can get it solved.

Most crucially, that local community is empowered. The work of the local community takes the council forward, not the other way round. For me, that is crucial for the future of local government. We have to empower local communities, but if we are to do that, we need more resources. That is just my first bid for more resources.

10:30

**The Convener:** We are probably going to talk about many of these things as we go along.

**Cameron Buchanan (Lothian) (Con):** Do you think that the advent of multiward councils has had any impact on turnout in local elections? Are you all in favour of keeping the system?

**Councillor Aitken:** Yes, definitely. Proportional representation is probably the best thing to happen to local government in Scotland for a long time. There is no doubt that it has completely opened up our democracy at the local level, and any return to the unrepresentative political approach we used to have would be a real backward step for local government in Scotland.

To get a wee bit parochial, I should say that the ward that I represent is a three-member ward, and that the three councillors are all from different parties. That works very well, and it benefits the ward. I know that other councils have similar set-ups. We have area partnership committees where we meet members of the community and people from the local police, housing associations, the minority ethnic forum and other such organisations, and we make decisions primarily about small grants but also about things such as the local police strategy. The fact that three directly elected members from different political backgrounds and with different perspectives are working together in the interests of the neighbourhood and not on a party-political basis—at least in that context; we might be party political

in other parts of the council or on committees—is positively advantageous and is better for local communities.

The trick is to expand and extend that approach. It is certainly at a very early stage in Glasgow, but we have started to bring the community into direct decision making about the allocation of funding and the implementation of strategies at the local level. If we expand and extend that type of working, we will start to see an impact on turnout.

**Cameron Buchanan:** How have you done that? Has it been done through community councils?

**Councillor Aitken:** It has been done at the lowest level of the community planning process, if you like, which is at ward level in Glasgow. Representatives from each community council have been involved; in my ward, where three community councils are represented, other community organisations and representatives have also been involved.

Of course, such an approach will not work everywhere, because some parts of the city do not have active community councils. It just so happens that I represent a fairly affluent ward in which people are fairly active and the community councils are quite engaged, so what I am talking about works well for us. However, it might not necessarily be possible to replicate it everywhere else, and there is still a big job to do in that respect.

**Councillor Roberts:** The single transferable vote system has had no impact whatever on turnout; it has made it neither better nor worse. However, it is the way forward and I would not like it to be changed. My ward has three councillors from different parties who all work together, and that certainly works. You have to work for your community. As Councillor McNamara said, you dictate to your community at your peril.

**Councillor McNamara:** Indeed.

**Councillor Roberts:** Working with communities is difficult. It is easy for councillors because they know their patch, but it is difficult to get groups of people to come together, except on single issues. There are community councils in every community in my ward, but I know that in some parts of Perth there is none. Who can be consulted there?

**Councillor Burgess:** I agree that the proportional representation single transferable vote election did not have an effect on voter turnout, but that first election was coupled with a Scottish Parliament election, so it is probably hard to separate the two. There was a reduction in voter turnout in the most recent council election, which was a stand-alone election, but there is no evidence that that was to do with proportional representation; I argue that the turnout might have

been lower without proportional representation. It is clear that, under a PR system, people have more choice in electing councillors who represent their views acting for them in the council. That has been very healthy.

In a number of councils, my party is represented by single members or small groups, so we have been able to represent people in the community who share political views that are similar to ours. Because of PR, residents now have a choice of who to go to in a ward; indeed, they can go to one councillor or several at a time and set us off against one another. Four parties are represented in my ward, but we work collaboratively on issues that are of concern to the community and individuals. Largely, people are not concerned about party-political issues; they are concerned about things such as the delivery of services. Local councillors can work together on those things.

We have in the council a neighbourhood partnership model that brings together the community councils, councillors, voluntary organisations and the police to form neighbourhood partnerships that cover a couple of wards, or so. They have been interesting. We have tried to devolve some spending down to them, which is key to getting people interested in local government, but that spending is still probably only 0.1 per cent of the council budget. Decisions about environment projects, roads and community grants are devolved down to the neighbourhood partnerships, but I do not think that the process has reached the level at which the general, wider community has seen the value of that. The neighbourhood partnerships still probably engage only a very limited number of people in the community.

**Councillor McNamara:** We do not work just down to ward level; we work down to street level—perhaps half a dozen streets that we can get together. The big issue for my community is a change in its attitude to and respect for the individuals who create or provide the services. I have seen that. There has been a change in emphasis and in the attitude to the police, for example. They are no longer “them”; they are now part of the community.

The police have also changed. I recall my first meeting with the local constabulary. I was told, “Look, Peter, I’m not a social worker; I’m a policeman. I arrest people and lock them up.” That attitude has changed; the police now understand the communities that they are there to serve and their difficulties much better than they did before. That has changed the attitudes of the residents, who have set up their own groups, which are not community councils; I have set up about six or seven tenants and residents groups. The



chairman of one those groups, who had never chaired a meeting in her life, stood against me in the council. I welcomed that, because it meant that she had learned and was growing and developing. That is what it is all about. It is about empowering people, and not simply at ward level.

Steve Burgess is absolutely right; at ward level, if someone does not get the answer from me, they will go to somebody else and say, "Peter McNamara said this." There is that conflict at times, whether we like it or not.

I am a member for a four-member ward. The three members whom I work with are all from different parties and they all recognise that, ultimately, we must work together because if we do not, the community will suffer and that will reflect badly on all of us, so we work together.

**Cameron Buchanan:** If STV is not the answer for bettering turnout in local elections, what is?

**Councillor McNamara:** My understanding is that when people are empowered—once they understand the power that they have—they are more likely to exercise their right to vote. I said right at the outset that I do not believe that communities fully appreciate the work that councillors do or the services that they provide on their behalf, nor do communities understand the power that they have to influence those people.

When I joined the council I was a telephone engineer. I joined because I was involved with a trade union. I stood politically to win a ward. Ultimately, I became so immersed in my community that I forgot about the politics; in fact, I have been disciplined by the Labour Party. It is about empowering people. It is not about me doing it; it is about giving people the opportunity to do it for themselves. That is the most important thing.

**Stuart McMillan (West Scotland) (SNP):** Are the size and structure of local authorities in Scotland correct or would you amend them?

**The Convener:** Can we start with Councillor Roberts please? I think that I might have misread a signal from you earlier, so if you want to add anything in response to what was asked previously, please feel free to do so.

**Councillor Roberts:** I was going to say that if we want to revitalise local government at the lowest level, we should give community councils budgets to operate services directly in their localities—for example, grass cutting, dog warden services, play parks and so on. If we did that, we might find that community councils that are currently in abeyance would start up again, because they would have the power to deliver the services that people worry about; people come to me a lot about relatively small issues. That would

be a start in getting people really involved in local government.

**The Convener:** What is to stop councils doing that right at this moment?

**Councillor Roberts:** I do not know why we do not do that, but I think we should.

**Councillor Burgess:** Size is important in encouraging voter turnout. If people feel that decisions are being made that affect them in their area, they are more likely to be engaged and interested. Our party had a report produced by land reform campaigner Andy Wightman, called "Renewing Local Democracy in Scotland", which showed a clear correlation between voter turnout and the size of local government. As local government has been consolidated in Scotland, turnout has lowered. In other countries, where local government is smaller and closer to the people, people are more engaged and motivated to take part in it.

Andy Wightman's paper suggests that municipalities of about 20,000 people would empower people in decision making at local level. Our party has not formally discussed specific sizes, but local government units in Scotland at the moment have about 170,000 people each, which is a huge difference from the 20,000 that Andy Wightman suggests. Having much smaller units would bring people in, because they would actually be taking part; you would have many more people representing their local areas so there would not be just councillors. That would increase participation.

10:45

**Councillor Aitken:** I know that there is lots of evidence from other countries—I read Andy Wightman's report as well, and I know that previous witnesses have talked about it—that the smaller local government is, the more people are inclined to engage with it electorally and day to day.

However, we can do a lot more with what we have just now. The structures that we have may not be perfect, but we have tools and ability in those structures, and it is up to councils to use them and have the will themselves to devolve and to embrace subsidiarity.

Glasgow is probably the classic example of where that needs to happen. It is a very big council and most citizens in Glasgow see "the council" as a monolith that does not bear much relation to them, in their street or neighbourhood, in their day-to-day lives. Of course there will be a lack of engagement when that is the perception and, to a large extent, the reality. Glasgow has started to talk about things such as community

budgeting and it has started to use the community planning process. It is following Edinburgh's lead, in trying to be a co-operative council, although it is in the very early stages. A lot of things are possible at the moment. They are far from being embraced as much as they should be, but the possibilities are there.

The community planning structures in the proposed community empowerment bill will give us a great deal of scope to think about how we do these things. Other policy things are going on that people might have characterised as centralisation, but which—conversely—give us opportunities for subsidiarity, local empowerment and local involvement. An example is the single Scottish police force; direct engagement and involvement with the police in my ward has greatly improved. The input from what, at the moment, is a very small group of citizens into a very local policing plan is an enhancement of what went on previously.

The integration of health and social care gives similar opportunities and has similar scope. The area partnerships in Glasgow that I talked about have only relatively small grants, but the opportunities for them—perhaps with expanded membership—to look at, for example, the health and social care budgets for their wards, particularly around health improvement and public health issues, are myriad.

One of your previous witnesses—it might have been Professor Mitchell—said that we need to stop thinking that only people who are directly elected are entitled to make decisions at local level. The reality is that our communities are absolutely full of people who are incredibly engaged, who know their communities and who know what is necessary to improve ordinary people's lives. We need to have the courage and the will to give them the ability to make decisions about their neighbourhoods.

**Councillor McNamara:** There is a lot there. I have to disagree with the police part of what Susan Aitken said, because—I did not know this before—220-odd officers are walking about with guns and there is no democratic control over that. That is a real concern.

However, engagement with our local communities started before the police force was centralised. Police were well engaged in my community and had been for some time, as I have pointed out.

I do not advocate changing local government again. I went through the last change and do not wish to go through another. Apart from the fact that it would be a waste of money, Susan Aitken is absolutely right that tools are already available to us to use in our communities. We also have

legislation on asset transfer and the community empowerment bill, which are tools that we could use to enhance the lives of the communities that we seek to represent. We should not be afraid of those tools.

Some councillors have said to me that to create a residents group would only be to create a stick to beat yourself with. That is a modern-day thought and it is a frightening thought. If a councillor thinks that engaging with the community is somehow creating a stick to beat themselves with, why, for goodness' sake, did they stand for election in the first place? I believe that we should engage much more with the community and we have the tools to do it, but let us not start changing local government again.

**Councillor Roberts:** I have a comment about the centralisation of the police service. Most of the crime that affects people in my locality, which is a rural area in which the crime rate is very low, is minor crime—antisocial behaviour and things like that. We have community safety wardens and traffic wardens. We might eventually end up adopting the European model, in which there are different types of police force—a central service that deals with major crime and local police services that deal with minor crime—under which people would feel more in control, and councils would be more in control of minor crime.

**The Convener:** I am interested in the fact that, for many areas, this is the first time there have been ward policing plans. Is it the first time that your areas have had ward policing plans? Have they gone down well with the public? Councillor Aitken has covered that issue to a degree. Are ward policing plans a new thing in Perth and Kinross?

**Councillor Roberts:** The police have always worked well with us locally. They attend community council meetings and, to be honest, I think that that is the best thing that they do, because they become a local presence. They sit at the meeting, take notes and report on crime in the area—which is, to be frank, almost non-existent. Their attendance at the meetings contributes a lot. What I find to be the major problem—and I think people in local communities also find it to be a problem—is the constant changing of the police presence. Whenever we get used to one senior officer or even one local officer, he is changed.

**The Convener:** Were there ward policing plans previously in Perth and Kinross?

**Councillor Roberts:** Yes.

**Councillor McNamara:** Ward policing plans are a fairly new initiative. I am the convener of a community justice authority, so I remember their introduction. I welcome the fact that Stephen

House introduced ward and community policing, but my fear is that we no longer have control over how it is implemented. For example, if Stephen House were to leave and whoever came in was to say that the priority is no longer community policing, what control would I have over that? What community control would we have over that? I suggest that we would have none. We have ward policing plans, but they fit in with our locality planning, which goes down not just to ward level, but to street level.

**The Convener:** Councillor Aitken, do you think that the public have more say over policing in their areas as a result of ward policing plans? I take it from what you have said that Glasgow did not have such plans previously.

**Councillor Aitken:** Glasgow had relatively local policing plans, but they were not down to single wards; for example, in my area the plan covered two wards that were side by side, but it so happens that the neighbouring ward to mine is considerably bigger and has very different criminal justice needs and local issues. That ward dominated the local policing plan, so the difference that has been brought about by moving even from two wards down to one has been significant.

I think that there is more input and engagement. Maybe we are just lucky, but in the relatively short time for which I have been a councillor, we have had a consistent presence from our community sergeant, who is now a member of the area partnership. Previously, he was merely an attender. There is direct discussion—he no longer simply presents a plan to the members of the community councils and the other organisations that sit on the area partnership. A significant difference is that the whole partnership now sits down, draws up the plan and decides what the priorities should be.

**Councillor Burgess:** Neighbourhood policing is not new to Edinburgh and the city has been developing ways of working directly with the police. With the advent of Police Scotland, there has been concern that the community focus might have been diluted. Community plans remain in place, and Edinburgh directly funds 44 community police officers, who have their own performance indicators, on which they must report back to the council.

The convener asked what prevents local government from giving community councils budgets. That is an important point. My understanding is that when we tried to devolve spending to neighbourhood partnerships in Edinburgh, councillors had to be involved in the partnerships to sanction or approve the spending. I am not absolutely clear on this, but I think that there might be a legal impediment to councils just

devolving spending to a community council or whatever at local level.

**The Convener:** Have officers spelled out what the legal impediment is?

**Councillor Burgess:** I am not absolutely clear on that. It is just an impression that I have, and I wanted to flag it up. If it is important that we devolve spending and there is a barrier in that regard, we have to address it.

**The Convener:** If we find that there is a barrier we will certainly consider it. Folks say that there are difficulties in devolving budgets, but we have yet to find someone who can tell us what the difficulties are.

**Stuart McMillan:** An issue that has come up in the inquiry and in other strands of work that the committee has undertaken is whether more powers should be devolved to local authorities. However, there appear to be no concrete proposals on what local authorities would do with additional powers and more financial autonomy. I am keen to hear the panel's opinions, because on that issue there is a bit of a gap in the evidence that we have heard during the inquiry.

**The Convener:** Do you want to go first, Councillor McNamara?

**Councillor McNamara:** Thank you, convener. I am more keen to use our current powers better than I am to seek more powers. The question takes us back to what we talked about earlier. We have only just gone through a change in local government and we are still coming to terms with the powers that we have. My fear is that some powers are being centralised. That is what I am suggesting to the committee.

Perhaps local government has not properly demonstrated how it can use its current powers. My starting point is that I want to protect what we have by including that in a constitution, and I would like councils to demonstrate to their local communities that we can use our powers an awful lot better than we have done to date.

**Councillor Aitken:** In some ways, we are gaining powers, given current policy direction. We talked about health and social care integration. The new health and social care partnerships will mean that local government shares its responsibility for adult social care services with the national health service board; in return, the NHS board will share its responsibility for primary care services with local government. The creation of the partnerships therefore gives local authorities direct democratic oversight of areas of the health service that it did not have previously.

There is not a one-way street of centralisation—we get too hung up on that sometimes, although I would not want to suggest that it is all right to keep

chipping away at local government. I think that I mentioned earlier that the way forward is to think about partnership. We should always think about where power is best shared. We need to think of that as sharing rather than having power removed or ceding power, because if that delivers the best outcomes, that is what we should be up for.

11:00

**Stuart McMillan:** Are the sharing agenda and the partnership approach the best methods to empower local communities?

**Councillor Aitken:** In high-level partnerships, such as health and social care partnerships, there is plenty of flexibility. For example, in an area such as Glasgow, the health and social care partnership can choose to use that structure to have neighbourhood partnerships. Once the process of setting up the partnerships is complete and has gone through its cycle, that is what I hope will happen. At neighbourhood level, we absolutely should be thinking in the spirit of partnership all the time—partnership with the myriad of existing local organisations, such as third sector organisations, housing providers, tenants organisations, residents associations and community councils.

In my ward, for example, there are a number of community projects that involve setting up things such as community gardens and urban crofts. All sorts of really interesting things are going on there. As a council, working in partnership with those people is the right route to start to empower them. It is also the right route to empower other citizens, who are not necessarily directly involved in or members of organisations but who see the difference that those organisations make in their street and their community.

The partnership approach is the route to empowerment. I would say that it is the mindset that we should be getting ourselves into if we are serious about empowering communities and, as a result, increasing engagement, turnout and so on. It is a virtuous cycle. It takes us back to the discussion at the beginning of the meeting.

**Councillor Burgess:** The powers of local authorities have been eroded. We previously had control over water and sewerage, and further education. More recently, the police responsibilities have been taken away from local authorities.

On the other hand, local authorities have had some new powers, one of which is a power over local energy supplies. We are keen to promote that in Edinburgh. We have proposed an energy services company for Edinburgh, which could reduce costs and generate revenue for the council.

Key for me is fiscal powers for the local authority. In Edinburgh, like other local authorities, 70 per cent of our funding comes directly from central Government, 20 per cent through the council tax and 10 per cent through fees and charges. However, the council tax element has recently been frozen by central Government. My party is quite critical of that approach, because we feel that it removes the ability of local government to fund itself and the ability of the people to make decisions about how the council tax should be set. As well as that funding impact, there is an impact on how people perceive local government, and their part in determining who governs them and how they govern them financially.

For example, at the moment it would not be possible for my party to make a proposal in an election manifesto to increase council tax by X per cent to invest in services or infrastructure in our city.

**The Convener:** Why is that not possible?

**Councillor Burgess:** Technically, of course, we could raise the level of council tax. However, the Cabinet Secretary for Finance, Employment and Sustainable Growth has made it clear to councils that, if they were to do that, they would lose an element of their block funding. For Edinburgh, that would currently mean losing about £9.5 million in the grant from central Government, and that would mean having to increase council tax by so much that we would lose most of the money that we got through that increase.

**The Convener:** But it is possible for any party to say in its manifesto that it will raise council tax.

**Councillor Burgess:** Practically and politically, it would not be possible to do that.

The power to vary council tax is key, but local government could have other fiscal powers that it is presently denied. We have direct experience of that in Edinburgh. When the transient visitor levy was proposed, there was cross-party support for it but, when we approached central Government to ask about the feasibility of the proposal, we were told that we did not have the power to implement it and, what is more, that the Government was not about to give us such a power.

Other financial mechanisms are currently blocked to councils. As far as fiscal powers are concerned, it is key that, as in other countries, local government has control over a good proportion of its income—a figure of 50 per cent has been discussed. We think that that would pull in people to see the importance of local government over their lives and finances. If local authorities raised 50 per cent of their income, they would be far more responsible for ensuring that the money was spent wisely, because people would hold them much more to account.

**The Convener:** On the issue of central Government blocking you from bringing in the hotel bed tax, can you define “central Government”?

**Councillor McNamara:** John Swinney.

**Councillor Burgess:** Actually, I think that it was Fergus Ewing who made a statement on that, although I think that the finance secretary said something about it, too. Answers were given in Parliament in response to parliamentary questions.

I myself was not party to the negotiations that happened between the council administration and the Government, but I am assured by representatives of the current coalition that they made representations to the Government about it and were turned down. I have more detail on who in Government said what about the matter.

**The Convener:** We will look at that—any other information that you can provide would be useful.

In evidence to the committee, Hugh Dunn, who I think is your director of finance at the City of Edinburgh Council, said:

“The public generally do not look at how much comes from Government grant, how much comes from what used to be non-domestic rates and how much comes from council tax. They just look at the quantum, so generally we show ... total resources that the council has.”

Do you agree with Mr Dunn?

**Councillor Burgess:** Sorry—could you repeat the last bit?

**The Convener:** Mr Dunn said:

“They just look at the quantum, so generally we show the total resources that the council has.”—[*Official Report, Local Government and Regeneration Committee*, 30 April 2014; c 3419.]

**Councillor Burgess:** I am not sure what was meant by “generally we show”.

**The Convener:** We were talking about accounts. Basically, Mr Dunn said that the public are not really interested in where the money comes from, and that they are just interested in the total. Do you agree?

**Councillor Burgess:** Rather than the total, the public are probably most interested in what hits them in the pocket. The council tax is one of those things. The council tax freeze has obviously been very popular—people are glad that their council tax has not risen. However, there is another aspect. If we in Edinburgh had been able to raise council tax just by inflation over the period of the freeze, we would have had something of the order of £210 million extra to invest in local infrastructure and services. Right now, the council has a £50 million hole in its infrastructure investment,

including £25 million in relation to schools. That is a raw and pertinent issue.

**The Convener:** We could also argue that, if we raised taxation now, we might put more folk into a situation in which they needed to use the council resources. I am playing devil’s advocate in some regards.

**Councillor Roberts:** In local authorities, we have lost power over police and fire services and there is a fear that education might be next so, rather than worry about getting more powers, the worry is about whether we will hang on to the ones that we have.

We should not get too hung up on budget lines. If we lose a power, a budget line is gone and we have no influence on it. As Councillor Aitken said, we are now working in the health and social care partnerships. Are we ceding or gaining powers in that? Are we gaining something from the national health service or is it gaining from us? There is no clear division any more. We are working with others, so we are not ceding powers or gaining them. We should not worry too much about that.

It is possible to borrow from the Public Works Loan Board for infrastructure costs. It is only revenue that we should worry about when we talk about council tax.

I do not think that there are any additional powers that Perth and Kinross Council would like to have at the moment.

**The Convener:** We still have a huge number of questions to go through. I ask folk to keep the questions and answers brief, so that we can get in as much as possible.

**Mark McDonald (Aberdeen Donside) (SNP):** There has been some chat about engagement with communities. I am struck by the fact that there seems to be an awful lot of talking going on, but how much is that influencing the decisions that the councils take? If communities get a nice chat with their local councillors but the council administration takes actions that the communities do not feel involved with or empowered over, does that not mean that they are, in essence, not really involved or engaged but just get to have a nice chat with their councillors?

**Councillor Roberts:** I work with communities and with my ward, as do my other two colleagues, and it is difficult getting communities together for anything other than one-off projects. We can get people together to build a new church or a new football pitch but, whenever the project is finished, they go. It is difficult to work with communities. Community councils are the only permanent structures in communities with which we can work; others come and go, but perhaps that is the way that it is going to be.

My ward is a prosperous one in which people expect the services to be like Tesco. If they need a tin of beans, they go to Tesco, buy it and go away. They do not want to be involved with Tesco's buying policies or to worry about where the tin of beans comes from. They just expect the services to be delivered and that is what we do. However, we try to work with communities and, on single issues, it has been successful.

**Councillor McNamara:** I disagree. It is very easy to work with communities if we put our minds to it. It is not simply about people sitting down and having a chat with their councillors. As I have been trying to explain, it is about empowering the community.

The residents of a couple of streets came to me. There were something like 120 or 140 houses in them with, predominantly, young families and some slightly older ones. They were having trouble with vandalism and graffiti, so I called a meeting in the local hall and some 70 to 80 per cent of the residents turned up. We got the police along but, most importantly, we set up a residents group and tackled more than the policing issue. It turned out that two young people in the street were causing problems. That issue was resolved and the graffiti was removed. We then looked at street lighting, pavements and roads, fenced off the back gardens and did work to roofs and windows. All the other ancillary problems that that community faced were dealt with. They were not dealt with overnight; patience was needed.

All that the community wanted to know was that it was in the plan that the council was putting together. In fact, it influenced the plan. That is the most important thing. However, for me, the real story was that one old woman was out in her garden and her next-door neighbour started to speak to her. They engaged with each other, not simply with the councillor or the police. As I say at meetings, "Coronation Street" has a lot to answer for. People go in, shut their curtains and do not communicate with their next-door neighbours. That is the big problem. However, those people still meet seven years later.

That is not just having a wee chat; it is caring about the community. I have done that in several areas in my ward, and it has been copied, but it takes a lot of hard work on the part of the community and the council.

11:15

**Councillor Aitken:** The picture is very mixed. I can cite examples of the type of change that Councillor McNamara is talking about, in which a genuine difference has been made through engagement not only at local or ward level but at neighbourhood level. There is undoubtedly a gulf

between the community involvement and engagement through the community planning process that is being talked about and what is actually happening. That is partly because we are still relatively early on in the process, certainly in Glasgow, and—I am sure—in many other councils. In many cases, councils are just starting to get to grips with ideas such as community budgeting, and they have not yet reached the point at which people on the ground are starting to feel the impact and to engage.

There is also an issue—although I can speak only for Glasgow on this—with the fact that, in many cases, one part of the council is talking about these things and having genuinely good aspirations about involving communities while another part is still doing things in a rather old-fashioned way by imposing changes on people. Very often, those changes affect what we might call communities of interest rather than geographical communities. For example, specific groups of service users in Glasgow, such as older people and people with learning disabilities and their carers, have recently faced particular issues and experienced a number of problems.

We all recognise that changing and reconfiguring services is necessary, particularly in the current financial climate, but that goal is being pursued in such a way that people feel enormously alienated. There has been a loss of confidence and trust. There is definitely still a gulf between the aspirations in some parts of the council and the need to carry those aspirations through to create a culture of genuine engagement and involvement to which the entire local authority is signed up. We are still quite a long way from achieving that.

**Councillor Burgess:** My group on the council is very keen on participation, and we recognise that progress in that respect is not where it should be. The Edinburgh people's survey, which is carried out among 5,000 people in Edinburgh every year, has shown that approximately 40 per cent of people do not feel that they have any influence on council decision making.

We have been proposing a number of practical measures to enable people to engage with the council. Those include ideas such as pushing early consultation on the council budget and responding to what people say about it; implementing a system for webcasting meetings, which is currently being rolled out; and setting up a petitions committee. In addition, participatory budgeting is currently being pioneered in the Leith ward by Councillor Chapman. We are doing what we can and, to be fair, the council is very keen on the co-operative approach. The council has a number of projects operating in key areas such as energy, and adult care and housing, and is trying

to work with communities to introduce co-operative models.

That said, there is probably a limit to what we can do within the existing structures. We have neighbourhood partnerships and community councils, which in Edinburgh involve 540 or so people. That is a fairly small number. The key point is that, of the 43 community councils in our area, there were elections in only three. In other words, there is not enough interest locally to create enough demand for places on the community council to lead to an election.

Coming back to the main point, I think that there may be a need to do something. Yes, we can reform and improve existing local government, but there may be a need to directly devolve powers to smaller units that are closer to people and will take decisions that affect their lives. If people see that there are smaller units of local government that they can engage with and see that they can make a difference to what happens in their area, we will see more participation. I totally get the point about just having a nice chat with councillors; I think that many people feel very isolated from what goes on in local government.

**Mark McDonald:** I take on board the point that people will tend to engage when something directly affects them. There were very well-attended meetings about the two school closure proposals that there were in my constituency. However, many of the people at those meetings will have engaged only with that agenda and will not have further involvement in aspects affecting their community.

There has been talk about devolving budgets to community councils. It is worth remembering that community councils currently have budgets. They are not very substantial, but the community councils have money that they can use to make small improvements to their communities. At the same time, if budgets were to be devolved to community councils, given the demographic deficiency that exists because many community councils do not have elections, many have fallen away and many are very unrepresentative of the community in that the members come from only a couple of streets in the area that they serve, how can we ensure that they would be able to use those budgets in a representative fashion? Is there a need to reform the structure of community councils, given that we have received evidence that that has been largely untouched since the 1970s?

**The Convener:** I know that I am largely going to lose this battle, but could you please be brief? There are a number of other questions that need to be asked.

**Councillor Burgess:** I think that Mr McDonald is right. If I wanted to get a huge attendance at a meeting in my ward, I would have it on parking controls. You will see hundreds of people turning out for that because it is an issue that is going to affect them directly.

There is an issue with the perception and practice of community councils at the moment. We might have to have something different; for a start, we might need something that is called something different. We might also need to reform the structure to find a way to make them more representative of the community in general.

**Councillor Aitken:** We undoubtedly have to look at community councils if we are serious about the issue. However, devolving budgets must go hand in hand with building community capacity, and realising that community councils are not the only structure at local level that is capable of making local decisions.

**Councillor McNamara:** I agree. I would like to see reform. We have spoken about partnership working, of which I am a big fan. One of the partners in all this is our community. It is not about the great and the good in the community; it is predominantly those who are less well off who need the services more. I think that we have to engage an awful lot more and we need to build up community capacity.

**Councillor Roberts:** I think that if you give community councils limited local powers, people will come. It will just happen: people will turn up because they have an interest.

One of my community councils managed to acquire £180,000 from a local house builder that required planning permission—£180,000 is a huge budget. That money has been spent in the locality, with grants for this and that and on a sports complex. Community councils can do it, but they just need a bit more power.

**The Convener:** Thank you, and thank you for your brevity.

**Anne McTaggart (Glasgow) (Lab):** I will be short and sweet, because I think that what I am about to ask has been largely answered. Councillor Burgess referred earlier to fiscal autonomy for local government, and Andy Wightman has spoken about the fact that, across the UK, local government raises only 12.7 per cent of its revenues and the figure is only 10.7 per cent in Scotland. What changes should be made to the current level of financial autonomy for local authorities?

Council Burgess also mentioned the tourist tax or whatever it is called now—we are not allowed to call it bed tax, although that is what it is, whatever

its guise. What are your views on local income tax, land and property tax, sales tax and visitor levies?

**Councillor Roberts:** The great danger when you start introducing different and additional taxation is that you make people move from one local authority area to another. We can, in the expanding community of Perth and Kinross, recover quite a bit of cash from developer contributions, including from house building, although I do not know whether the climate is still right for that. Over the next 10 years, we are looking to recover around £9 million or £10 million in developer contributions. That is perhaps a source of income that would not have the effect that additional or general taxation would have, whether that is on bedrooms or something else, in moving people from one local authority area to another.

**Councillor McNamara:** Any elected body must have the ability to raise finance but, at this time, we do not have that ability. In fact, our ability to do that has diminished. Our difficulty with council tax is that, because it has been flat cash over a period, making up the deficit would be a political nightmare.

Proposals were previously made for local income tax and so on. I am not a mathematician, but whatever comes down will not be popular. The ultimate aim of what we should be talking about is providing a service to the community, and the people must welcome that opportunity for better schools and housing and whatever else.

I am not prepared to say what taxation we should have, but we should have the ability to raise finances and to be held accountable for that.

**Councillor Aitken:** I agree to a significant extent with Councillor McNamara. A number of options are available. Some have been explored but, for whatever reason, they have not come to fruition or been followed through. I am in no doubt that that issue will be returned to.

The council tax freeze was brought in with majority support. I read Glasgow City Council's submission and found it slightly odd that it had a go at the council tax freeze, because that was the first item on the Labour administration's election manifesto. It is generally agreed that this is not the right time to raise people's household bills. As time moves on and we start to see an improvement in the economic situation, I have no doubt that the question of local government income raising will be returned to.

The current strictures are not sustainable in the longer term, given what we are aspiring to with regard to autonomy and flexibility in local government. The council tax freeze that the majority of the body politic is signed up to is the right policy for now. However, perhaps round

about the time of or following the next local government elections the various options, such as land value tax and local income tax, will need to be looked at seriously. Perhaps an option on whether individual local authorities could make choices from a menu of what are the best forms of local taxation to suit their circumstances might well be something that the Parliament, the Convention of Scottish Local Authorities and local government would want to explore in more detail.

**Councillor Burgess:** Although I said that I was keen to see the council tax freeze removed, our party, as is the case with a lot of the other parties, is not very supportive of the council tax. We favour land value taxation as an alternative. We would also want taxes such as the transient visitor levy to be given to local government to have a say over. At the moment, the only flexibility that councils have is over fees and charges. In Edinburgh, fees and charges have grown to just under half the amount that is raised through the council tax. What fees and charges can be raised on is controlled by central Government. The other point to make about them is that they are regressive—they are not set in relation to people's wealth or their ability to pay. I feel that that is a pretty unhealthy situation and I would like it to be unlocked.

11:30

**Alex Rowley (Cowdenbeath) (Lab):** Can community empowerment in relation to budgets happen only at the margins? The overwhelming majority of the day-to-day decisions that impact on people's lives and which are made in local government are taken by professionals. The education budget makes up between 45 and 48 per cent of a local authority budget and, in the main, it is spent on local schools. Could decision making go much lower than that? Who would we involve in that process?

If we add to education social work, which includes services for children and families and services for older people, that takes us up to nearer 80 per cent of the budget. The decisions in those areas are made by professionals. From this morning's discussion, people might think that councillors make all the decisions, but they do not; it is professionals who make the decisions on the overwhelming part of local authorities' budgets.

I go back to the analogy that Councillor Roberts made with Tesco. I do not necessarily disagree that that is what people want. When someone is stuck in hospital and cannot get out because there is not enough money to put a home care package in place or to buy them a place in a care home, it is the professionals who make the decisions. When we talk about community empowerment,



are we talking about something that can happen only at the margins?

**Councillor Burgess:** I think that you are right in that the vast majority of council budgets are already earmarked for essential services and essential infrastructure. When we come to set our budget, 99 per cent of it is already set. Given increasing budget demands and a budget that is growing smaller in real terms year on year, there is little room for councillors to be creative about new policy. That said, we still have to approve the spending and the recommendations by officers on the provision of services, so we still have an important role to play.

As power is devolved to smaller units of local government, it will be important to collaborate on some things to maintain services, but there is still scope for quite a lot of services and activities to be devolved to communities. I am not absolutely fixed on the proportion of the budget in which such scope exists. On participatory budgeting, our party had a figure of 1 per cent of the council budget as an initial target to devolve to existing local structures to make decisions over.

**Councillor Aitken:** Alex Rowley is right that officers make decisions about the day-to-day spending of the big budgets, although one would hope that they do so in line with a strategic direction that has been set for them by the political administration that has been elected.

When it comes to community budgeting, we are talking about small sums of money, but sometimes it is spending at the margins that makes a difference. I come back to the community empowerment (Scotland) bill and asset transfer. That will give people who live in a community in which there is a disused council building—such as a closed school that has become a magnet for graffiti, antisocial behaviour and teenage drinking or is just an eyesore—the power to do something about that, to take over the asset and to transform it.

That might be a marginal change, but it could make a significant difference to that community's sense of itself and its wellbeing and to the individuals who live there. In the overall scheme of things, we are not talking about the big bucks in local government budgets, but we should not underestimate what we are capable of achieving if we seriously embrace the community empowerment agenda.

**Councillor McNamara:** Prior to the crash in 2008, we made the decisions as a local authority. We introduced the minimum wage and classroom assistants, we doubled the number of apprentices and we gave direction to the council. Those were our political priorities. Sadly, since then, we have had to sit down year on year and cut the budget.

Nobody wants to cut the budget, so we look for the best possible options with the minimum impact on the community that we represent.

More recently, we have gone out into the community. I find it a bit odd that, when we are trying to cut the budget, we go out into the community to explain to people why we are cutting, although we never went out to tell them that we were spending money on the minimum wage or on apprentices. We got elected to do that, but now we are taking the budget out and saying, "This is the difficulty that we are facing."

We have already reduced the budget by £40 million and we have to find another £25 million—goodness knows where we will get that. Of course, we rely on the professionals to come forward, but they have to reflect the political needs of the council, and they know what is acceptable and unacceptable. Sadly, we are getting to the point where nothing is acceptable; that is the difficulty.

**Councillor Roberts:** We have a statutory duty to provide certain services, so we must fund them. By the time that we add up the total cost of all those services, we are left with only about 10 per cent of the budget, which we might say is slightly flexible. Because of the funding cuts that we have faced and are facing—and more are to come—that is where we have to make cuts. We cannot close secondary schools or stop community care; we have to provide those services.

We will have to make our future cuts in grass cutting, in maintaining play parks, in public toilets or in public libraries. We are making cuts already, and it really hits people. That is the sort of thing that gets people up in arms and forming interest groups, but the fact that so much of our overall expenditure is fixed means that there is little flexibility anywhere else.

**Alex Rowley:** That is what I am trying to get to. I do not want to undermine the policy direction that councillors set, but there is a key question about finance. I suggest that, unless we look at how local government is financed, the margin that has been discussed will be even less, because of demographics. The health and social care partnerships are bringing together two partners that both have massive overspends; that is almost being set up to fail if it is not financed properly.

Very little is coming across in the oral evidence about local government's views on how to be financed for the future. I suggest that times will be even tougher over the next few years and that local government needs to talk about how it is properly financed.

**Councillor Roberts:** We can become more efficient and make savings, but we have reached the stage where we cannot make any more efficiency savings on what we deliver, so we have

to start cutting back on services. We are being asked to do more with less.

**Councillor McNamara:** We tried to explain that earlier. I agree that finance is crucial, politically and for all services. Alex Rowley is absolutely right—we have to look at local government finance seriously.

I will return to Alex Rowley's point about the health and social care partnerships. I disagree with his suggestion that they are being set up to fail. We have two massive budgets that could be used an awful lot better. I am on our health and social care partnership and I want to use the money an awful lot better.

Rather than having people bedblocking, there should be facilities for them at home so that they can go home and be properly cared for, but we need to put those services in place. We also need to change the culture in both monolithic organisations—local government and the NHS—so we should embrace a change agenda.

To save money, we have embraced the change agenda, but the frightening thing is that we have got to the bones now—we are not cutting the fat off any more. Politically, we will at national and local government levels wake up to that at our peril, because we will be doing stuff that is totally unpalatable.

**The Convener:** I will ask a question that perhaps the two councillors who have yet to respond can also have a go at. Have Perth and Kinross Council and North Ayrshire Council carried out zero-based or priority-based budgeting exercises? Has there been any discussion about what is and is not a statutory service? Such decisions come down to interpretation, often by officers.

**Councillor McNamara:** In education, for example, we have a statutory responsibility to educate but not a statutory responsibility to have schools. Therein lies the dilemma, so I do not like to get into the question of what is and is not statutory. I like to consider what is best for the community and what people in the community expect to receive.

**The Convener:** You are a man with a bit of gumption, Councillor McNamara.

**Councillor Roberts:** We just perceive what the statutory duties are, such as educating children, providing housing and providing community care, rather than looking at the legislation in microscopic detail to see what we could get away with not doing.

**The Convener:** Has there been a zero-based budgeting exercise in Perth?

**Councillor Roberts:** No.

**The Convener:** Has there been one in North Ayrshire?

**Councillor McNamara:** Yes.

**Councillor Aitken:** I agree with a lot of what Councillor McNamara said. The future financing of local government must be considered seriously. I do not think that there is a clear consensus or view in local government on what that future is or should be.

The recent discussions on budgeting in COSLA, for example, have thrown up all sorts of views, even just on how the funding formula should be taken forward. At the most recent COSLA leaders meeting, my council leader suggested that COSLA should just hand all that over to the finance secretary and have no control over the formula at all. I do not think that he got an enormous amount of support for that suggestion.

There is no clear consensus. There needs to be serious discussion across local government, and with the Scottish Parliament and the Scottish Government, about the best way forward. A number of options are available to us, but I am not sure whether all of them have been explored in the required depth in order for us to decide which option is best.

To respond to the convener's question, there are serious discussions in Glasgow about what is and is not a statutory service. That is happening in social work in particular, which happens to be the service with which I am most familiar, and in land and environmental services. A lot of the drive behind the co-operative council idea is getting individuals and communities to think about what they would do and what they can do for themselves, rather than relying on the council to do something for them. That is being discussed now.

**The Convener:** Has there been a zero-based or priority-based budgeting exercise across the council?

**Councillor Aitken:** No—not that I am aware of.

**Councillor Burgess:** There has not been a zero-based budgeting exercise in Edinburgh but, given the fiscal and financial challenges that it faces, the council recently instigated what it calls BOLD, which stands for better outcomes, leaner delivery. The council is setting about the task of considering which outcomes it absolutely has to provide and trying to focus on them. That work will be used to direct council spending in the future.

**John Wilson (Central Scotland) (SNP):** Good morning. I will start with a question for Councillor McNamara and Councillor Roberts, but I just want to clarify one point first. Councillor McNamara made two comments about the minimum wage. I hope that North Ayrshire Council has been paying

the minimum wage since 1999, or you might have workers queueing up—

**Councillor McNamara:** I was talking about the living wage.

**John Wilson:** I thought that it was the living wage, but you said the minimum wage. I just wanted to have that clarified.

Have you served on a majority or coalition administration? I know the answer in the case of Councillor Burgess and Councillor Aitken, but I am interested to hear from Councillor Roberts and Councillor McNamara. Have you seen any clear impact on decision making in the council as a result of your engagement with that process?

11:45

**Councillor McNamara:** Yes, I have served on a majority council. What was the second part of your question?

**John Wilson:** I wanted to find out about your perception of the decision-making process. From what I have heard this morning, everything seems to be working fine in the local authorities. Decision making seems to be consensual, and there do not seem to be any disputes over how the majority or coalition administration decides how the budgets are spent. My interpretation is that you all seem to be fully engaged and involved in the decision-making process. I would have expected to hear the same answers from four council leaders if they were sitting in front of the committee today and responding to the questions that have been asked so far. Is your perception of how the decision-making process operates different now that you are in opposition rather than part of the administration?

**Councillor McNamara:** In my experience, the biggest difference is that we are not being engaged earlier. When we were in the administration, we engaged with officers earlier and they constructed things around what we would say politically. In opposition, we have to await that decision because we are not in a position to influence the council's direction of travel.

I have been on the council since 1988, and I am used to being in the administration, in whatever position. It has been very difficult to be on the other side and to await, and try to formulate an argument against, the decisions. We are coming to terms with that—in fact, we are, for the first time in opposition, asking finance officers to come and talk to us before the budget-setting process so that we can influence it and add our tuppenceworth prior to the budget being placed before us.

**Councillor Roberts:** That is quite interesting.

Perth and Kinross Council is currently run by a minority administration that requires our support. We work with the administration issue by issue; we see all the pre-meeting agendas and have weekly meetings to go over the papers that are coming before the council. Sometimes things have to be withdrawn, and on occasion we have actively voted against the administration to get what we wanted.

For the budget process, all the council groups have the use of an officer who goes over the available options. We all draft our own budgets, which we usually end up doing in a very similar manner because we are given fixed costs, and options for savings and perhaps for additional expenditure. We are well informed about the process and everything that is happening, particularly on a financial level. We are extremely well informed on budgets, and we know exactly what is happening on budget day.

**John Wilson:** I appreciate those responses, particularly Councillor McNamara's comments on being in the administration and then no longer being part of it, and on the information that is supplied to allow his group to engage fully in the budget process. I also understand Councillor Roberts's position with regard to assisting a minority administration.

This question is for Councillor Burgess and Councillor Aitken, too. Do you think that council administrations provide enough information early enough to allow not only opposition council groups but communities to engage fully in the budget-setting process? The committee has heard recently that some local authorities will say, "We consult communities," but at what stage do they start consulting? Is it once the decisions have been made, or when the majority administration has made a decision, or is it prior to that? Do you think that enough consultation takes place?

**Councillor Burgess:** When I joined the council in 2007, the budget practice was that the administration would present its budget on budget day, and that was the first time we saw it. There would be a recommendation from officers a few months in advance, but that was it. The budget process has since improved greatly, and I would like to think that our group played a part in pushing for that. The council leader is now committed to publishing the budget early; the last budget was published in September, five months ahead of the February decision. The process includes consultation with the community.

We get presented with the officers' recommendations, which have been approved for draft by the coalition administration. After getting to see them, we can base our own budget on that information. We are given as much support as we

want, and we are assigned an officer to help us produce our own budget proposal.

Things are getting better. We also have pre-budget day discussions with the finance convener and deputy convener. We are now beginning to see some minor concessions, whereby some of the things that we propose on budget day are accepted by the coalition, although those are very small at the moment. We are talking about £100,000 to £200,000-worth of policy, for instance.

We have had a problem with accessing enough information at a detailed level to determine the things that departments are spending their money on, and therefore the things to which we could propose changes. That is one criticism that we still have: we still do not get enough detail about departmental spending, which would allow us to propose more change.

**Councillor Aitken:** The questions up until now have primarily been about budgeting at neighbourhood level. In my council, we have some serious concerns about how the overall budget-setting process is handled. Having said that, I know that the most recent budget in Glasgow was a two-year budget. It was a much more minimal process this year. Last year, when the budget was set, the finance spokesperson from our group engaged with officers at length, as did the Green group on the council, I believe. We drew up our budget proposals—our amendments to the administration's budget—on the basis of that.

Information was shared. That was sought by the SNP group to a certain extent. We made a decision in the group to make an offer to the administration that, where we could work with it and find areas of agreement, we would do so, and we would seek to make amendments where we had serious concerns. That was what happened.

At a macro level of budget setting, that information is not made available to communities. I made it clear earlier that there is consensus across the political spectrum in the council on the aspirations for community involvement and in the talk about it. Our differences are about the speed and depth of the implementation. It is clear that those aspirations are nowhere near being fulfilled in Glasgow. In some cases, they are still talk.

Our group has some serious concerns about the way in which decisions are made in the council and about the process.

**Councillor McNamara:** On the subject of communicating the budget externally, we run straight talking events. Those started under the previous administration. This does not come down to the micro part of the budget; it is about a generalisation: "Here is the amount of money that we have, here is what we have to find and here are areas that we are considering."

At a political level, we are a lot smaller than Glasgow and Edinburgh. I can meet the leader of the council and raise my areas of concern. We can discuss them and—hopefully—proceed with the budget in a consensual way, which has not happened in the past. That covers my experience so far.

**Councillor Roberts:** It takes about three months before budget day to go over all the figures and to dig deep and see what they all mean. The budget is not revealed to anybody until budget day, when each party puts forward its budget—if it chooses to do so. Then there is a bit of wrangling in the council to decide the final budget; the administration is a minority administration, so it has to carry other parties.

Communities are not consulted before budget day and they really have no idea what is coming forward. Their only input into the budget process is through their councillors, who should know the interests of their area and push forward anything that could be put into the budget to benefit their ward.

**John Wilson:** Some members spoke about a written constitution for local government. Should such a constitution contain the duties that would be expected of a local government body? We talked about statutory duties and we know that some local authorities have other duties that they carry out—they make the decision on that. What should be contained in a written constitution?

**Councillor Burgess:** I would not like to determine that here and now. Certainly there would be scope for it to contain duties and therefore protect the responsibility of local government to deliver on those duties. I think that a constitution should probably contain duties, but I would not like to say at the moment what those duties are.

**Councillor Aitken:** I think that what should be in a constitution is rather more to do with the principles of what we believe local government to be and what it is for. If we start to detail specific duties in a constitution, we will leave ourselves open to having difficulties expanding, changing or altering them in future. A constitutional amendment process might be something for a future Scottish supreme court to take on.

**Councillor McNamara:** Follow that! For me, a constitution would be a contract between the community, the local authority and the Parliament. We would be obliged to fulfil that contract. What is in the contract is something that we still have to discuss. I have already said that there are some areas that I would definitely not like to lose and there are some that I would like to get back.

**Councillor Roberts:** Basically you are saying that we make all our duties statutory duties, which

gives no flexibility to individual councillors. What suits Glasgow does not necessarily suit Perthshire. We would have no way of discerning. We would not be able to deliver the services that our particular councils need.

**The Convener:** That leads me on to a final question on flexibility. We went to the islands recently to hear evidence from them about their circumstances. We have two councillors from cities here today and two councillors from areas that are rural-ish but have quite large towns in them. Do you think that uniformity works in local government, or do you need the flexibility to take into account your own circumstances in your own areas? What could be put in place in your areas to improve that situation?

**Councillor Roberts:** I would like to say first that Perth is a city, by the way, not a town.

**The Convener:** I beg your pardon. I keep forgetting about the six-city scenario. I will go and slap myself on the fingers after this.

**Councillor Roberts:** You are right to say that what suits Perth city does not necessarily suit Perth rural, so we have to have flexibility in how we deliver our services. That is all I can say.

**Councillor McNamara:** I would agree with that. My ward takes in Ardrossan and Arran—two totally different communities. You even have to talk differently on the island and on the mainland. Flexibility is crucial. Ultimately, we want to reflect the community and its requirements.

**The Convener:** Given that it includes Arran, is North Ayrshire engaged with Orkney, Shetland and the Western Isles about the our islands, our future campaign?

**Councillor McNamara:** Given that I am in the minority on North Ayrshire Council, I will have to ask.

**The Convener:** Okay. Thank you very much.

**Councillor Aitken:** Uniformity in local government is a contradiction in terms. We should be looking to achieve consistency in the quality of service delivery, but the way that services are delivered must be flexible to local circumstances, which are so varied, not just across Scotland but within council areas, particularly the larger ones.

**Councillor Burgess:** I support flexibility in local government. The paper by Andy Wightman suggests the Lego brick model, whereby smaller municipalities can come together in different combinations, which would provide a large degree of flexibility.

**The Convener:** I thank you all for your evidence. This has been a lengthy session, but the length of time that it has taken shows how worth

while your evidence has been to the committee. We will now move into private session.

12:00

*Meeting continued in private until 12:27.*



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e-format first available  
ISBN 978-1-78457-431-4

Revised e-format available  
ISBN 978-1-78457-443-7