

From Ken Gordon

Dear Fellow Community Councillor

Community Empowerment Bill

On Tuesday 6th May I attended a National Conference in Edinburgh on the forthcoming Community Empowerment Bill in the hope that this might mean good news for the future of Community Councils, but I was disappointed.

The Minister for Local Government, Derek MacKay MSP, outlined the forthcoming Community Empowerment Bill, but presented little more information than was published in the Consultation Paper back in November last year.

Figure 1 Derek MacKay Scotland's Minister for Local Government
Interesting halo, or is that a neck bolt too...?

The only "Empowerment" that the Bill will provide for Community Councils is, "a new statutory role in relation to the common good, recognising their important role as voices for local communities".

The "common good" is not defined in the Bill because "at this stage our view is that there are significant difficulties in framing a satisfactory definition". Suffice it to say that the common good is comprised of property and funds which have been bequeathed to the Council for the benefit of all its citizens.

So in a nutshell, we get to have a say on what already belongs to us anyway.

One question asked of the Minister was if this "so-called Empowerment Bill" was just a means of validating the principle of independence, in that what is good for Scotland was also good for Scotland's individual localities independence within Scotland. The Minister's response was to laugh it off by suggesting that some cynical people would obviously see it this way, without actually giving a straight answer. He is a politician, after all.

The Minister made very few references to Community Councils but for me his most telling comment was his dismissal of any idea that Community Councils should be given any further powers at present, because they are largely unelected and therefore unrepresentative generally of their communities. We were promised a copy of his notes after the event but this has not been forthcoming. I therefore requested a transcript and was advised by email on 15th May 2014 that,

"Unusually, the Minister spoke off-the-cuff at the conference last week, with minimal handwritten notes and without an official writing his speech. We have been advised by his office that they are unable to provide a summary in this case"

So the rest of the Conference was organised to look at the features of the forthcoming Community Empowerment Bill and there were 16 speakers throughout the day, a fairly punishing programme of listening to others with little opportunity for feedback. Pity really, as during the very short question and answers sessions, allowed after every 3 speakers, there were some very interesting views coming from the floor.

I have attached a copy of the programme which split the proceedings into four loosely grouped topics with fairly nebulous titles. I also attach the links to the presentations which were shared with us.

The two speakers who stood out in relation to Community Councils were Richard Kerley and Petra Biberbach. A summary of their presentations are given below.

1. Prof Richard Kerley from Queen Margaret University Edinburgh.

Richard's notes are attached but his source was actually the COSLA Commission on Strengthening Local Democracy and not the Community Empowerment Bill. The interim COSLA Report makes very interesting reading, but again fails to tackle the potential (or in some cases lack of potential) of Community Councils. This is very surprising, as the most startling fact that I took away from this is that Scotland has the most centralised government system in Europe. This is illustrated on the table below (Figure 2).

Country	Number of municipalities	Median Population	Sq. km
France	36781	380	11
Germany	12013	6844	15
Spain	8112	564	35
Italy	8100	2343	22
Belgium	589	11265	40
Norway	431	4439	46
Sweden	290	15039	5
Scotland	32	115000	672
			990

Figure 2 Source - <http://bellacaledonia.org.uk/2011/09/29/beyond-centralised-power/>

The full text of the report makes an interesting read, and was circulated by Irene last month, and can be found here:

<http://www.localdemocracy.info/2014/04/24/time-to-reverse-50-years-of-centralisation/>

Prof Kerley concluded that Community Councils should not be simply given more grants by "higher authorities" but should be given more power and the associated accountability. That way they would become more representative and the funding would follow. Either do this or "just kill them off", was Prof Kerley's conclusion.

2. Petra Biberbach, Chief Executive, Planning Aid for Scotland (PAS)

Petra's presentation is attached, but there is no transcript of her speech. She specifically addressed the role of Community Councils, as PAS regularly works with Community Councils on Planning issues. Indeed, PAS were extremely supportive of Meldrum Bourtie and Daviot Community Council during our recent objections to the planning developments at Daviot.

Petra's approach was more pragmatic, as there is very little evidence of any appetite for Community Council reforms, so her advice was essentially that Community Councils must learn to lobby those in power more effectively. She feels that in some areas there is very poor engagement between Community Councils and their communities, in some cases leading to the disbandment of them entirely. She feels that reform should start at home and that Community councils should strive towards better representation by involving people throughout the community, especially younger people.

Petra endorsed the “Seven Principles of Representation” as laid out in “The Principles of Representation: A framework for effective third sector participation” published by the Cabinet Office. <http://www.communityplanning.net/pub-film/pdf/PrinciplesOfRepresentation.pdf>

[To explain the jargon “Third Sector” is defined as, *“the part of an economy or society comprising non-governmental and non-profit-making organizations or associations, including charities, voluntary and community groups, cooperatives, etc.”* So Community Councils are part of the “Third Sector”. Nice to know our place in the hierarchy.]

In Petra’s view this would be a tangible way of gaining more credibility and empowerment would follow.

The “Seven Principles of Representation” are:

1. Accountability – clearly defined responsibilities for all decisions and actions
2. Equality – place equality, diversity and inclusiveness at the core of what you do
3. Leadership – the sector’s representatives will need to think and act strategically
4. Openness – be as open as possible in all your dealings and relationships
5. Purpose – be clear about the local sector’s objectives and support them with a strong evidence base
6. Sustainability – ensuring the continuation of the collective voice
7. Values – identify and build on the values of the local sector

I managed to speak to Petra during the coffee break and suggested that there should be some means by which Local Authorities should be persuaded to take community councils more seriously, which would result in a better dialogue. I suggested that, for example, Planners would do well if they adopted the principles given in their own Professional Body’s Guidelines published by the Royal Town Planning Institute as Good Practice Note 1 “Guidelines on Effective Community Involvement and Consultation”

<http://www.rtpi.org.uk/media/6313/Guidlelines-on-effective-community-involvement.pdf>

I said that on occasion where the Local Authority and Community Councils should be working together there were working at cross-purposes. There must be mutual respect. Petra referred me to the “Seven Principles” but also offered for PAS to mediate if it was ever felt that the Local Authority were not responding to the Community Council in an appropriate manner.

The remaining presentations were of interest to Community Councils involved with specific projects and demonstrated what can be achieved by good lobbying and influencing those with true “Empowerment”.

The most impressive was the community land purchases, mainly in the Highlands and Islands, presented by David Cameron (no, not the PM, but) Chair of Community Land Scotland.

I have attached the links to these presentations below, for anyone interested.

Ken Gordon
Daviot

15th May 2014

This is a link to the introduction to the speakers:

<http://communityempowerment.holyrood.com/index.php/speakers>

These are the links to the speaker files that have been made available to us:

[09:25 Richard Kerley](#)

[09:45 Richard Norris](#)

[10:05 Tressa Burke](#)

[11:20 Oliver Reid](#) Here is the link to the video from Oliver Reid's presentation, hosted on YouTube: <http://youtu.be/Tfj2T0RQdpU>

[11:40 Petra Biberbach](#)

[13:15 David Cameron](#) [Written summary of David Cameron's presentation](#)

[13:35 Clair Malpas and Charlie Millar](#)

A full list of all participants is given on the following page

S = Speaker (14/54)

- = Community Councillor (9/54)