

BRIEF NOTES OF MEETING

“Community Control: Gift or Liability? – the implications of the Community Empowerment Bill”

At the Scottish Parliament, Committee Room 3 on Tuesday 4 November 2014 at 5.30pm

Our Ref: EM R10 Community Empowerment Mtg Minutes 2014-11-04

PRESENT

Hazim Amrin	Strathclyde University
Ian Appleton	
Marjorie Appleton	
Neil Baxter	RIAS
Irene Beautyman	PAS
Dion Corbett	Strathclyde University
Eric Dawson	A+DS
Christopher Dingwall	
Linda Fabiani MSP	Scottish Parliament
Douglas Flett,	Douglas Flett, Architect
Julia Frost	PAS
Stephanie-Anne Harris	City of Edinburgh Council
Euan Leitch	BEFS
Derek Mackay MSP	Scottish Parliament
John MacLean	J M Architect
Peter Marshall	Perth & Kinross Council
David McAllister	PAS
Liz McLean	East Lothian Council
Pauline Megson	Historic Scotland
Ian Menzies	Locus Breadalbane Ltd
Christine Miller	Locus Breadalbane Ltd
Andy Milne	SURF
Russell Moran	PAS
Eugene Mullan	RIAS
Hamish Neilson	Landscape Institute for Scotland
Ann Packard	RSA
Bill Pagan	BEFS
Peter Peacock	Community Land Scotland
Janet Placido	East Lothian Council
Peter Riddoch	Peter Riddoch Architect
Dennis Rodwell	
David Thompson	DPT Urban Design
Robin Turner	RCAHMS
John Wackett	Locus Breadalbane
David Wardrop	City of Edinburgh Council

David Wood	PAS
Jamie Bateman	Smith Scott Mullan Associates
Ruth Mitchell	Smith Scott Mullan Associates
Jack Hugh	RIAS
Kirsty Murray	PAS
Mike MacKenzie MSP	Scottish Parliament

APOLOGIES

Clare Adamson MSP	Scottish Parliament
Nick Allan	Nick Allan Associates
Richard Baker MSP	Scottish Parliament
Dr Richard Simpson MSP	Scottish Parliament
Annabelle Ewing MSP	Scottish Parliament
Fiona Hyslop MSP	Scottish Parliament
John Knight MSP	Scottish Parliament
Ingval Maxwell	COTAC
John McKinney	NFRC Scotland
Martin McKay	Clyde Gateway
Flick Monk	Centre for Scottish Public Policy
Paul Morsley	Iglu

1.0 Welcome, Present and Apologies

Linda welcomed all present to the meeting.

2.0 UPDATE FROM PREVIOUS MEETING TOPICS

Eugene provided an update on progress of topics from previous meetings.

Annual General Meeting (12 June 2014) was successful. Office bearers are Convenor Linda Fabiani, Depute Convenor - Drew Smith, Treasurer - Craig McLaren RTPI and Secretary – Eugene Mullan RIAS.

Scotland has a Historic Environment Strategy – So what next? (29 April 2014)

BEFS Congress 2014 is being held next week which is on the delivery of the Strategy. Stage 3 debate of the Historic Environment Scotland Bill took place this afternoon and has been passed subject to Royal Assent. Historic Environment Scotland will commence operation October 2015, combining Historic Scotland and RCAHMS. There will now be a flurry of secondary legislation which will detail the workings of HES.

2.1 Introduction

The Community Empowerment (Scotland) Bill was introduced in the Parliament by John Swinney MSP on 11 June 2014. The policy objectives of this Bill are to:

- Empower community bodies through the ownership of land and buildings and strengthening their voices in the decisions that matter to them; and

- Support an increase in the pace and scale of Public Service Reform by cementing the focus on achieving outcomes and improving the process of community planning.

This Group are particularly interested in the opportunities and challenges that this may provide for design and place making in the built environment.

3.0 STRATEGIC VIEW – DEREK MACKAY MSP – The Minister for Local Government and Planning

Derek was elected an MSP in May 2011 representing Renfrewshire North & West, he was appointed Minister for Local Government and Planning in December 2011.

Elected to Renfrewshire Council in 1999 at the age of 21 he was the youngest male Councillor in Scotland at the time. He won three successive ward elections, to become Leader of Renfrewshire Council in May 2007. He became a national figure in local government leading the SNP group at COSLA 2009-2011.

Presentation Summary:

Derek stressed a need to realise the possibilities of what can be achieved through removing barriers and unlocking the potential for good things to happen. The CE Bill links with national outcomes, such as community planning, a more proactive role for communities in triggering consultations, community right to buy extending from rural to urban areas, common good land and strengthening allotments. Success will look like more confident empowered communities with more land and assets in community ownership; success will breed success. Community planning requires greater engagement of communities; there is an urgent need to link community and spatial planning.

The strategic overview prompted a wide ranging discussion that included:

The aim is to tackle poverty and inequality - better off communities can access funding, professional assistance and acquire assets; how will interests of marginalised and disadvantaged communities be adequately supported?

Supporting communities is resource intensive and requires appropriate skills and funding.

There is a strong relationship between the CE Bill, National Outcomes and the National Performance Framework. Success can be monitored through 'Scotland Performs', and will be evident through more confident communities that enter into the co-design and delivery of services and facilities.

Whilst the CE Bill creates a culture of expectation, with a corporate duty to consider the legislation, there is a need to get beyond the usual suspects and inspire communities; people need to be encouraged to think what may be possible and to think: what can we do?

In the context of today's austerity, and pressure on Council budgets to dispose of assets we are slipping into a 'language' where transfer to communities cannot possibly be seen as a bad thing! However, assets exist for good reasons to provide universal access to services and facilities; there are concerns the CE Bill will lead to a slide towards greater inequality.

Communities access assets through common public ownership. In many cases assets have been inherited by local communities and stewarded through public management for the greater good.

Checks and balances will be required. We need systems that ensure transparency and longer term accountability; Councils are elected over political cycles; who will look after the longer term interests of communities? What happens if assets are not successfully managed?

Community ownership of assets, and/or co-design and delivery of services need to be valued in ways that go further than financial/monetary terms. More confident, empowered communities that achieve more will lead to wider public savings. The Scottish Public Finance Manual notes that full commercial value does not need to be acquired on disposal of assets.

COUNCIL VIEW – STEPHANIE-ANNE HARRIS, Strategic Development Manager, Culture and Sport, City of Edinburgh Council.

Stephanie-Anne has worked for the City of Edinburgh Council since 2004. She has responsibility for sport, physical activity, major events and Edinburgh Leisure. She has overseen the delivery of a range of events such as the Golden Oldies Rugby Festival and the Edinburgh Hogmanay celebrations. She is currently leading a strategic review of all the City of Edinburgh owned sports facilities and services, including Edinburgh Leisure.

She was a member of the Government's Task Force on physical activity, and continues to champion the need for us all to be more physically active for our health and she works very closely with colleagues in Sportscotland and the NHS to progress this agenda.

Presentation Summary:

Stephanie-Anne offered some personal observations. There are considerable pressures on Council budgets, therefore a radical rethink is required. There is no one-size-fits-all 'magic' solution. Community ownership of assets is not a new concept and has been done before (e.g. woodlands, church halls, etc). The process has to be organic and driven by communities; Council Officer involvement working with communities is time intensive.

Various projects highlighted considerations, e.g.: projects such as Inch Park Community Sports Hub and Spartans Football Academy stemmed from the visions of one person and illustrated the need for a champion or project sponsor who is interested in the long term. Craggs Sports Centre was an idea that emerged from the local community but which fell into financial difficulty; CEC/Edinburgh Leisure have worked with the community to ensure its long term survival through leasing to a basketball club.

Other projects, though part subsidised, may eventually save Council money through achieving wider aims (e.g. working towards underlying health and education issues). There is a need for honesty around expectation. There may be inherent operational issues requiring significant subsidy. This should be made clear from the outset of a process that aims to support the community but which can be highly politicised. The budget challenge is frightening; significant budget pressures will ultimately involve closure of facilities. Some are suitable for asset transfer, but these need to be identified and a dialogue started early with local communities. A champion is required. It is necessary to go at the pace of the community, not at the pace of the Council.

4.0 COMMUNITY VIEW – IAN MENZIES, Treasurer Locus Breadalbane

Ian Menzies, Trustee and Treasurer of Locus Breadalbane, with a background in finance and business, now semi-retired.

Presentation Summary:

Ian spoke about Aberfeldy Town Hall, and provided some impressions from a community that has gone through a community asset transfer. A community organisation – LOCUS – originally formed in 1988 to look after a former church donated to the people of Aberfeldy (opened in 1991 and converted to its present format in 2000). This community organisational structure was able to respond to the announcement of the disposal of the Town Hall through forming a steering group, meeting with the Council and ultimately becoming the first Community Asset Transfer in Perth & Kinross Area in 2011.

The presentation highlighted the need to overcome red tape and bureaucracy. The 'normal commercial transaction' (£300k) was re-assessed at community value (closer to £200k) and was completed by end 2013, with the building returned to the community in 2014. As an older building it required a lot of work (e.g. modern heating; upgrading insulation; installing toilets). LOCUS were able to access funding streams and the necessary professional help (e.g. legal, architect, etc.). This involved considerable effort: What does an empowered community look like: Frazzled!

5.0 ORGANISATION VIEW – PETER PEACOCK, Community Land Scotland

Peter Peacock is a recovering politician who, among other things, now assists Scotland's community land owners with policy advice, demonstrating there is life after politics! He has worked in private business, local government, third sector, and has been an elected politician at Council and Parliament level for 30 years including being a former Council Leader and Minister.

Presentation Summary:

Placemaking has many different dimensions: safety; employment; connectedness; nurture; education and learning; services; cultural, etc. These all relate to human aspects. We all contribute to placemaking in our own separate and combined ways. There are several types of communities:

'Victim communities' – of poor planning and design; poor health and education; poor economy

'Passive recipient communities' of other peoples decisions – not engaged

'Recipient communities' who are consulted

'Co-design communities' – empowered to engage

'Co-producer communities' – empowered in design and delivery

'In control communities' – who own the land or assets; decision-makers in their own right

The CE Bill moves people along this spectrum; more empowered communities have a greater sense of wellbeing, and take responsibility for the long term future of their place. The CE Bill will release energy and innovation. Whereas previously it was 'what are you going to do?' this Bill recognises 'this is our problem; what can we do?'

To close Peter highlighted the difference between empowered and disempowered communities.

*"The classic kind of **empowered community** is one that is confident, resilient, energetic and independent. It is well networked. It has a high degree of social capital. It is confident enough to imagine a better future for itself, and is in a position to take control of that future. It has the breadth of vision to be able to enlist others and other agencies in helping it to deliver its ambitions."*

*"By contrast, a **disempowered community** is one which is dependent on people external to itself to address its needs and whose future is directed by others."*

6.0 DISCUSSION

There was a very interesting discussion based on the presentations and the proposals for the Bill, the following were some of the key points raised:-

- The process needs to be led by the community and developed organically, it cannot be forced or driven by budget imperatives, it will take time and patience by all parties.
- Project champions who are enthusiastic and well informed are often key to the success, however there is concern about what happens when they are no longer involved.
- Common Good assets are often involved and this can be a very complex situation.
- There needs to be appropriate ongoing support for marginalised and less capable communities.
- Other public bodies, not just Local Authorities, will be involved and are perceived to be less ready for this change.
- Information, funding and access to expertise need to be in place to assist communities to take advantage of the legislation.
- The importance of ownership; this empowers owners to think about managing for the future – those with a vested interest will do the best they can for the future of their place
- Displaying community support for a project may be challenging if there are differing views, opinions and tensions. This is likely to be more challenging in cities than small towns.
- Tools are required to evaluate 'preventative spend' benefits – potential benefits represent much more than merely a financial 'bottom-line' transaction.
- This legislation has important implications for the retention and re-use of buildings - acknowledging that they represent and strengthen a sense of place, identity and attachment for local communities.

7.0 Close of meeting

Linda thanked PAS for organising the event, the speakers for their insight to the topic and all present for their contributions to the discussion.

The next meeting of the Group will be on 09 December 2014 on the topic of Housing