



Community Empowerment (Scotland) Bill – Call for Evidence

Local Government and Regeneration Committee of the Scottish Parliament

September 2014

Planning Aid for Scotland

Planning Aid for Scotland (PAS) is a national charity operating on social enterprise principles, working across Scotland to improve the way people engage with the planning system, helping people to contribute to their communities, and thus building active citizenship.

Through its impartial advice, training and education services, PAS is pro-actively involved in raising awareness of the opportunities for all people to be involved in shaping their places and communities. PAS believes that facilitating public involvement in forming a community vision for the future of their areas is a key aspect of civil engagement in creating empowered communities.

PAS considers that the land-use planning system has an important enabling role in delivering the intended outcomes of the Bill, and that better outcomes will be achieved through a closer alignment of land use planning and community planning.

In responding to previous Scottish Government consultations on the Bill, PAS has focused on the following matters:

- **community councils* and other community organisations**
- **community planning**
- **accessibility of information**
- **access to training support and advice**

*although the role of **community councils** is not significantly altered by the Bill, PAS believes that their role must continue be re-examined as a key stakeholder who can help deliver the aims of the Bill.

Committee's Call for Evidence - Questions

1. To what extent do you consider the Bill will empower communities – please give reasons for your answer.

- PAS has supported the Scottish Government's proposal for a Community Empowerment (Scotland) Bill since the idea was incepted; and has been pleased to contribute to the Scottish Government Reference Group which has supported development of the Bill.
- PAS welcomes the Bill as a demonstration of the Scottish Government's commitment to devolving, where appropriate, powers and decision-making to

communities; and believes - if implemented successfully - the Bill can indeed have a positive impact on empowering communities. A community taking ownership or management of a local asset can be the starting point for the development of community pride, self-reliance and confidence, and thus empowerment.

- Throughout the consultation process on the Bill, PAS has emphasised the importance of **focusing on delivery**. This needs to happen pro-actively at grass-roots level and there are two key aspects: awareness raising and ease of access to information; and training and support for communities. Focus on this will help ensure that the aims and spirit of the Bill are actualised.
- PAS – with its focus on building active citizenship, is ideally placed to provide information and support to ensure the outcomes of the Bill are achieved.

2. What will be the benefits and disadvantages for public sector organisations as a consequence of the provisions of the bill?

- The provisions of the Bill offer public sector organisations the opportunity to work more closely with third sector organisations in promoting community empowerment and effective and innovative engagement, as well as performing their key regulatory functions.
- They also offer the opportunity for public sector organisations to work across departments and to pool resources more effectively.

3. Do you consider communities across Scotland have the capabilities to take advantage of the provisions of the Bill? If not, what requires to be done to the Bill, or to assist communities, to ensure this happens?

- Within every community there is a high level of local knowledge and insight which should inform communities to make decisions about their own future.
- With appropriate access to information, and where required support and training, PAS believes that all communities in Scotland can benefit from the provisions of the Bill. Utilising more fully the provisions of the Curriculum for Excellence, primary school children and secondary children can learn about citizenship and learn about the opportunities for participating in key decision making.
- It is well documented that communities in Scotland are varied and diverse. Some communities may require a high level of support, guidance and up-skilling to enable them to take advantage of the provisions of the Bill, whereas others may be able and ready to act on their own. There will be no one-size-fits-all approach but PAS would like to see public authorities taking a pro-active and creative approach to engagement around the new opportunities that will arise.

- Part 1 of the Act, with its provision that Scotland's National Outcomes should be reviewed every 5 years, and consulted upon, will allow local communities to have a voice at strategic level. Combining this with other potentially much more localised outcomes of the Bill sets a strong vision and a robust framework for community empowerment.

4. Are you content with the specific provisions in the Bill, if not what changes would you like to see, to which part of the Bill and why?

PAS would like to comment on the following aspects of the Bill:

Community Planning

- PAS welcomes the provisions of the Bill which will establish Community Planning Partnerships (CPPs) on a statutory basis. However, it is essential that CPPs take a pro-active approach to engagement and ensuring that they are as representative as possible of their communities.
- PAS welcomes the Bill's requirement for CPPs to undertake consultation-based Local Outcomes Improvement Plans. However, CPPs will only be effective if they are predicated on genuine engagement with communities and pro-actively bring together communities and agencies in a partnership approach. This would represent a co-production approach that will bring about genuine empowerment.
- PAS has commented previously on the need for Community Planning and Land Use Planning – with inherently shared outcomes – to work in closer alignment as part of delivering empowerment.
- PAS's [guidance on effective engagement](#) is a valuable tool which can help CPPs engage effectively with communities.

Community Right to Buy Land

- PAS supports the extension of a right to buy land to urban communities, whilst also recognising that the challenges and issues in urban areas may be different from those in rural areas.
- PAS does not, however, wish to comment on the technicalities of this aspect of the legislation.

Allotments

- PAS sat on the Scottish Government Working Party Group on Allotments and Community Gardens, and is aware that in some areas of Scotland demand outstrips supply.
- The placing of a duty on Local Authorities to provide allotments and hold waiting lists is a positive step in facilitating the provision of a community asset that can promote sociability, as well as health and well-being. Whilst noting the duties to be

placed on Local Authorities, it would also seem in the spirit of the Bill to empower communities to take the initiative to propose sites, with appropriate support in terms of skills and finance.

Common Good Property

- PAS supports the provision in the Bill to provide a register and for Community Councils and other recognised community bodies to be consulted about any plans to change the status of Common Good Property.
- PAS would also add that with regard to the land use planning system, there can be confusion as to the status of Common Good Property. Whilst outwith the scope of the Bill, it would be useful for this matter to be addressed.

5. What are your views on the assessment of equal rights, impacts on island communities and sustainable development as set out in the policy memorandum?

PAS would like to respond to this question with some concluding thoughts on the content and future implementation of the Bill.

- It is essential to ensure that the spirit of the Bill can be enacted upon by all and this means encouraging communities across Scotland to embrace a can-do attitude.
- There is a need to create a level playing field of opportunity through an increase in access to training, support and information to ensure all communities can benefit. Only with this approach will all of Scotland's communities have the opportunity to benefit from the Bill.
- It is recognised that a large swathe of individuals, communities and communities of interest in Scotland are still excluded from participating in land-use planning and community planning. Two such groups that PAS is currently working with to promote their engagement in building a more inclusive society are young people and Gypsy/Travellers.
- To achieve the delivery of services that meet the needs of all groups in our society, PAS would encourage measures which will promote awareness, knowledge and access to the opportunities that the Bill provides.

CONTACTS

PAS would be pleased to respond to any queries with regard to these representations and is always willing to consider a joint venture with the promoters of the consultation document to take forward further research or training on any aspect of the subject which relates to the core business of PAS.



Petra Biberbach

Chief Executive

Tel: 0131 220 9730 Mob: 07812 103967

petra@planningaidscotland.org.uk