

Date: 11 December 2013

I refer to the agenda for the meeting of the Policy & Resources Executive Sub-Committee to be held on Monday 16 December 2013 at <u>2.30pm</u> and attach report as undernoted which was not available on the day of issue.

ELAINE PATERSON Head of Legal & Democratic Services

Undernote

3. Evidence to Commission on Strengthening Local Democracy Report by Chief Executive

Enquiries to - Sharon Lang - Tel 01475 712112





AGENDA ITEM NO: 3

Report To: Policy and Resources Executive Date: 16 December 2013

Sub-Committee

Report By: Chief Executive Report No: CE002 13GM

Contact Officer: Gerard Malone Contact No: 2710

Subject: Evidence to Commission on Strengthening Local Democracy

1.0 PURPOSE

1.1 This report asks the Council to consider the terms of its response to the call for evidence from the Commission on Strengthening Local Democracy.

2.0 SUMMARY

- 2.1 The Commission has been established by COSLA and brings Councillors, representatives from civic Scotland and specific experts together to review local services and local accountability and is chaired by COSLA president, Councillor David O'Neill.
- 2.2 The Commission wishes to put local democracy at the heart of Scotland's future and the Commission has asked for evidence to be submitted with a view to making recommendations for the future.
- 2.3 The Commission is looking at what democracy in Scotland might be like irrespective of the result of the referendum in 2014. Its overall purpose is to "identify a route map to deliver the full benefits of a shift in power towards local democracy for people in Scotland". Its work has three objectives:
 - Investigate a local approach to services and accountability that will improve outcomes in Scotland's communities.
 - Consider the current landscape of democracy in Scotland and how this could be strengthened and enriched to benefit local people.
 - Make recommendations that set a course for putting stronger local democracy at the heart of Scotland's constitutional future.

3.0 RECOMMENDATIONS

It is recommended that the Council:

- 3.1 considers the request for evidence to the Commission on strengthening local democracy; and
- 3.2 approves the draft response to the questionnaire attached as **Appendix 1** subject to such further comment as may be considered appropriate.

4.0 BACKGROUND

- 4.1 Following decision at COSLA, the Convention has agreed to establish Scotland's first commission on strengthening local democracy in order to strive to improve local democracy as the route to better outcomes and to put this at the heart of its work.
- 4.2 The Commission is comprised of Councillors, representatives from civic Scotland and specific experts (all as noted in **Appendix 2**). The purpose of the Commission is to "identify a route map to deliver the full benefits of a shift in power towards local democracy for people in Scotland".

The Commission has three objectives:

- Investigate a local approach to services and accountability that will improve outcomes in Scotland's communities.
- Consider the current landscape of democracy in Scotland and how this could be strengthened and enriched to benefit local people.
- Make recommendations that set a course for putting stronger local democracy at the heart of Scotland's constitutional future.
- 4.3 The Commission will carry out its remit in terms of Phase 1 Why local democracy is important and what it can achieve. Phase 2 A route map to delivering stronger local democracy in Scotland.

The Commission is expected to make interim reports and to deliver a finalised report to the COSLA Convention in Spring 2014.

The conclusions will:

- 1. Set out the benefit of local approaches and the benefits that arise.
- 2. Identify the long term characteristics to underpin better local democracy.
- 3. Establish the building blocks or barriers to address, including:
 - Improving the constitutional/statutory position of Scottish local government.
 - A funding process that improves democratic control and accountability locally.
 - Ways of ensuring there is a joint approach to policy making in Scotland.
- 4.4 The attached response to the call for evidence (Appendix 1) sets out the Council's reply to the main questions and the Council is asked to consider these responses and to approve or modify the terms of the Council's final submission.
- 4.5 The guiding principles informing the work of the Commission are set out within **Appendix 1** and set out to take the long term view with an open and inclusive approach for practical and evidence-based outcomes.

5.0 IMPLICATIONS

5.1 Financial Implications:

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
n/a					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
n/a					

5.2 Equalities:

This report promotes consideration of community engagement and empowerment and thus supports the Council's objectives.

5.3 Repopulation:

This report does not directly affect the Council's objective but does support the priorities of supporting and developing its citizens.

6.0 CONSULTATIONS

6.1 The CMT has considered and endorsed this report.

7.0 BACKGROUND PAPERS

7.1 None.

WE'VE GOT SOME QUESTIONS...

HELP US UNDERSTAND WHAT STRONG LOCAL DEMOCRACY MEANS TO YOU

We are an independent Commission that has been set up to look at what democracy in Scotland might look like, whatever the result of the referendum in 2014. The Commission is chaired by Councillor David O'Neill, President of the Convention of Scottish Local Authorities, and we have set out its main tasks at the end of this document.

Our starting point is that we believe that local services and local accountability matter. That is why we want to begin our work by hearing your views and suggestions about what happens now, and what the future might be.

This is only our first step in listening to you. Any information that you give us now will help start the debate, but we also want this to be an ongoing conversation. Over the next few months we will be setting up different ways in which you can meet us or tell us what you think. A good way to find out about these is by signing up to our newsletter at www.localdemocracy.info and by following @localcommission on Twitter.

How to Respond

We will use the information that you give us to develop our work and explore new ideas, and so what you tell us now is really important. For that reason, we want to hear from you as quickly as possible. We are keen to hear your views by **29 November 2013**, **or sooner if you can.** However, please let us know if you need more time.

You can complete and return this form electronically to:

commission@localdemocracy.info

You can also respond online via our website:

http://www.localdemocracy.info/call-for-evidence/

Alternatively you can post a copy of this form to:

The Commission on Strengthening Local Democracy Verity House 19 Haymarket Yards Edinburgh, EH12 5BH

If you are responding as an individual we would be grateful if you could also provide some <u>other information</u> when you give us your views. This will help us develop an overall picture of the information we have. This is optional and any information that you provide will be used anonymously and will remain strictly confidential.

If you have any queries please contact us using the above details or call us on 0131 474 9200

Respondent Information

To help us make the most of your response, please tell us about yourself and how you want us to use the information you provide. There are some questions marked * and these must be answered by all respondents, unless you are directed past this question.

Name of Organisation (if appropriate)	Inverclyde Council				
Forename					
Surname					
Address	Municipal Buildings Greenock				
Doctordo	PA15 1LX				
Postcode	01475 712710				
Telephone Email	gerard.malone@inverclyde.gov.uk				
Twitter name if applicable	дегага.талопештуегстуае.доу.ак				
* I am responding as:	An individual				
	x An organisation/group				
Do you consider yourself or your organisation	n as from or representing?				
a rural area an urban	an area with both don't know /				
area	urban and rural not applicable				
arca	parts				
Would you be happy to be approached by th	<u> </u>				
discussion about your submission?	□ No				
If you are responding as an individual:					
* Do you agree to your response being made	available to the public on Yes				
the Commission's web site?					
* If you have agreed to your response being	made available to the public, please tell us if we may				
also make your name and address available.	(Please select one option only)				
Yes, make my response, name and a	ddress all available				
Yes, make my response available, bu	t not my name and address				
Yes, make my response and name av	railable, but not my address				
If you are responding as an individual we would b	If you are responding as an individual we would be grateful if you could also provide some additional				
	help us get an overall picture of the information we receive.				
You can <u>download this sheet here</u> and send it to us at the same time as you return this form.					
If you are responding as a group or orga					
* The name and address of your organisation	•				
Commission's web site. Are you content for y made available?	your response to also be No				
Which of the following best describes your organisation? (Please select one option only)					
Community Group	A business				
x Local Authority	A government department or agency				
Other public sector organisation Third Sector organisation	A social enterprise Other (please specify)				
Professional body	U Other (please specify)				
Short description of the main purpose of you	r organisation:				

Tell us what you think

We have not provided a long list of questions to answer, but we do want to hear what you have to say about some themes. Please respond to as few or as many as you wish. However, it would be helpful to keep your overall response to eight pages or less.

Please provide evidence or examples in support of what you say. This will help us understand and explore your ideas further.

1. LOCAL DECISION MAKING: Do you think that decisions about local issues and services are made locally enough in Scotland at the moment? If not, what does deciding 'locally' mean to you? Please illustrate your answer with any examples from your own experience.

No. Local Government, over the years, has been subject to greater expectations of centralised control through resource allocation and policy directive. Enhancements and improvements of services through targeted national initiatives are, of course, welcomed and there is a shared desire, nationally and locally, to improve standards and provide effective and efficient services. The issue is, however, there is an increased expectation of centralised control and that tendency works against the best interests of the local delivery of key services and the finding of local solutions for communities. Local Government should have the key role in shaping and delivering services for local people.

In Inverciyde, we support and strengthen local decision making through our community plan process with Inverciyde Alliance and our regular meetings with representatives from the whole range of public sector, community and voluntary organisations in the area working alongside each other provide a consultation and engagement mechanism with all of the local communities served. Inverciyde Council leads and supports these services as part of the community planning arrangements.

The Council would ask for consideration to be given to reviewing the financing of Local Government in order that more resources are targeted through Councils at local issues. Additionally, consideration should be given to reviewing the financing and constitutional position of Local Government to safeguard and secure local interests and local delivery. This would include options to encourage more resources being generated locally to enhance local accountability for decision making. Local Authorities must be able to respond proactively to the needs of their communities and restrictions on the allocation of resources or through the ring fencing of budgets disproportionately affects local flexibility in dealing with need.

In terms of the future shape of Local Government services, the Christie Commission on the future delivery of public services in Scotland made it clear that reform must aim to empower individuals and communities receiving public services by involving them in the design and delivery of the services they use. Scottish Local Authorities have a key role working with and serving the local communities they represent so that local decision making is supported and reinforced.

2.	LOCAL ACCOUNTABILITY: How important do you think it is for locally elected people to be
	responsible for decisions about local issues and services? Do you have any examples of why
	this is the case?

It is essential that locally elected people are responsible for decisions about local issues and services.

The Elected Members within their wards are thoroughly involved and have direct and sustained engagement with their constituents. There are clear issues in respect of the proximity of the Elected Member to the people they serve in relation to accountability, transparency and democracy. The local Elected Members take responsibility for decisions through the Council as corporate body which will directly impact on the local areas they served and on the residents who live in those areas or use these services. The link between the local Elected Member and the constituent is at the crux of the democratic issues involved in local accountability and the shaping and delivery of services.

Through this local understanding, Councils have the ability to develop, lead and co-ordinate strategic approaches for the wellbeing of their communities. Inverclyde Council works effectively with its partners through its community planning arrangements to support the outcomes set out within the Single Outcome Agreement all of which are distilled, clarified and expanded, where appropriate, in the core documentation of the Council's corporate plan, the Inverclyde Alliance community plan and other key strategic documents. The level of local accountability enables the links amongst these documents to be shown and tested in delivery, and allows strategic planning to take account of changing local needs. This level of local accountability is best provided through mechanisms and structure of Scottish Local Government. Local accountability is key for the shaping and delivery of services. The local Councillor is the democratically elected voice of the local community, gathering information about the issues local people are facing and using these to inform and make decisions about local issues and services.

3. LOCAL PRIORITIES: How well do you think that communities' local priorities are accounted for in the way that national and local government works at the moment? What is effective, and if there is room for improvement, how should things change?

The priorities of local communities are articulated well at the moment. Scottish Local Authorities can respond quickly to strategic issues and the developing needs of their local communities

In terms of the key issue for the interface between Local Government and National Government, it is vital to recognise that the Statement of Ambition agreed between the Scottish Government and COSLA in 2012 identified agreements on convergence of national and local priorities for reducing disadvantage and inequalities. This is an important recognition and can set out the working relationship for the future on these priorities. Additionally, there are Scottish Government proposals to place new duties on community planning partners to support outcome delivery and to strengthen the role of community planning partnerships: this is also welcomed by the Council.

For the future, security of funding for Councils and funding models which allow Local Authorities and their partners to develop and deliver the most appropriate local initiatives for their areas would support the objective of delivering on local priorities and also improving national outcomes. Engagement with communities has to be well resourced and structured and many authorities are struggling to do this given the current financial climate. It is always difficult to meet the aspirations of all communities but establishing basic levels of service for communities which are set out clearly help establish a baseline for what communities can expect from the public sector partners. The Community Empowerment (Scotland) Bill may help address a number of issues in relation to how communities engage in the decision making process.

The Council is, currently, participating through COSLA in the Local Government Funding Review and this raises important questions on the financing of local government and its link with democratic accountability. One of the key issues for the future is the sustainability of the on-going Council Tax Freeze as against communities' expectations of increased investment. For example, if the Council were to seek to increase Council Tax by 1.5% each year to be able to prudentially borrow, say, £6 million per year for increased investment in roads or regeneration initiatives then currently the Scottish Government would levy significant penalties. Additionally, as part of the Funding Review issues are being discussed on whether Non Domestic Rates should be returned to local authorities with discussions on impacts and principles involved all being of direct relevance to the issues of local democratic empowerment and accountability.

4.	STRENGTHENING DEMOCRACY: What do you think should be done to strengthen local
	democratic decision making in Scotland? Do you have any ideas or examples about how this
	could improve people's lives?

The key principle in strengthening local democratic decision making in Scotland is to ensure that decision making is as close to the community as possible. Within Inverciple, the most successful developments have been implemented where Councils and local communities have worked together in planning to meet the area's needs and in the addressing of operational service delivery issues in local areas.

A responsive, decentralised approach to decision making is accountable at the local level and results in effective and efficient service delivery.

Irrespective of the outcome of the referendum, the position of Local Government in Scotland needs to be clarified at a constitutional level to ensure that Councils are firmly linked to their communities as they are best placed to delivery responsive and effective services for those communities.

Local Government has a clear and successful leading role in community planning and area regeneration and it is Inverclyde Council's experience that its community and voluntary sectors are keen to work with the Council and its partners in identifying local priorities and future options for service delivery. Well resourced engagement structures set up between local communities and local authorities strengthen the local democratic decision making process. This includes capacity building in those communities which are currently under-represented, especially in those most deprived communities. Public Social Partnerships are good examples of how service development and delivery can be better informed by local voluntary organisations and which can be extended to community groups. It is vital to ensure as wide a representation of views as possible in order to inform the decision making process and that there are also opportunities to enhance the role of community councils to do this.

5. SCOTLAND'S FUTURE: Has there been enough discussion about local democracy in the debate about Scotland's future? If not, what should be addressed and how might this be achieved?
Irrespective of the outcome of the Referendum, it is important that thought is given to the status of Local Government and the future development of local democracy in Scotland. It is understandable that discussion has been limited at this stage and is focused on other major public issues. Inverclyde Council will participate further as the debate develops.

6. OBSTACLES AND CHALLENGES: Do you have any concerns about strengthening local democratic decision making in Scotland?

All of Scotland's Local Authorities are facing challenges in respect of financial and demographic changes.

The changing landscape means that there will be an increasing demand for public services in an environment of constrained public spending and the reform of the delivery of key services is a matter of crucial importance for Local Authorities.

At present, a Local Government Funding Review report is being considered through COSLA which, although not directly responding to the questions in this consultation paper, does overlap extensively with the key themes of local democracy and the means to deliver on local priorities. This Funding Review is very much based on the empowerment of local government and the Council is very supportive of this debate and will participate, through COSLA, in discussion and review of its key principles.

Inverclyde Council is focused on reforms that improve the quality of public services and which meet the needs of local people and the communities they support. However, there are serious issues for the future for managing service demand given the resource constraints that are being experienced. It is key that the resourcing arrangements for Councils in the future be reviewed in a way that ensures local accountability, the flexibility to deliver resources and target local outcomes for communities.

Management of expectations is always a challenge when working closely with communities so robust engagement with clear parameters needs to be carried out. Resourcing of this is an issue as many Local Authorities are struggling to deliver core services in the present financial climate let alone expand engagement around democratic decision making. Additionally, it has to be recognized that, with funding constraints, there are fewer people carrying out support work within local communities.

7.	We would like to keep the conversation going with you. Can you tell us about any events,
	networks or other ways in which we could help achieve this? Is there anything that we can do
	to support you?

Thank you for your submission. If you have any queries about the Call for Evidence please contact us at:

Commission on Strengthening Local Democracy Verity House 19 Haymarket Yards Edinburgh EH12 5BH 0131 474 9200

 $email: \quad commission@localdemocracy.info$

twitter: @localcommission

Commission on Strengthening Local Democracy Terms of Reference

Context

Scottish local government has adopted a vision that focuses on improving local democracy as the route to better outcomes, and is putting this at the heart of all of its work. The COSLA Convention has agreed to establish Scotland's first Commission on Strengthening Local Democracy to pursue that vision. It will bring people together with a common resolve to consider how local democracy and accountability in Scotland might be improved and empowered, and provide advice on what is needed for that to happen.

Remit

The overall purpose of the Commission is to:

"Identify a route map to deliver the full benefits of a shift in power towards local democracy for people in Scotland"

It will work to address three objectives:

- 1) Investigate a local approach to services and accountability that will improve outcomes in Scotland's communities
- 2) Consider the current landscape of democracy in Scotland and how this could be strengthened and enriched to benefit local people most
- 3) Make recommendations that set a course for putting stronger local democracy at the heart of Scotland's constitutional future

Outputs

The Commission will carry out its remit in two phases.

Phase 1: Why local democracy is important and what it can achieve

Key output: A clear statement of the benefit to communities of local delivery and democracy *Key questions to consider:*

- Why should we do things locally in Scotland, and what benefit does this deliver?
- What can Scotland learn from other countries about their approach to local democracy?
- What do people in Scotland have to say about local democracy?
- What would better protected, empowered and supported local democracy look like in Scotland?

Phase 2: A route map to delivering stronger local democracy in Scotland

Key output: An assessment of the key building blocks for change Key questions to consider:

- What are the building blocks we should focus on as part of Scotland's constitutional future?
- Who needs to take action to deliver positive change after the Referendum and what should they do?

Reporting

The Commission is expected to make interim reports throughout these phases and deliver a report to the COSLA Convention in Spring 2014. It is expected that the conclusions will include:

- 1. setting out why local approaches should be pursued and the benefits they derive
- 2. identifying the long term characteristics that should underpin better local democracy
- 3. establishing the building blocks or barriers to address, including:
 - i. improving the constitutional / statutory position of Scottish local government
 - ii. a funding process that improves democratic control and accountability locally

Guiding Principles

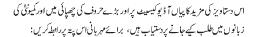
It is expected that all members of the Commission will be:

- Ambitious: take a long term view and not be restricted by the current landscape of democracy in Scotland
- Open: enable all views to be heard through evidence gathering and interaction, public reporting, and political debate
- Inclusive: reflect a broad range of interests and views from across communities, local and national government, and wider civic Scotland
- Questioning: provide a forum for debate but with a common purpose of improving local democracy and accountability in Scotland
- Practical: positively respond to challenges and shape action in pursuit of local government's vision for stronger local democracy
- Evidence based: support their findings, including by looking at relevant evidence from home and abroad and commissioning research where appropriate

Access in other formats and community languages

This document is available, on request, in easy to read, audio and large print formats, and in community languages. Please contact:

Aby otrzymać niniejszy dokument w innej wersji językowej, na kasecie lub w wersji z powiększonym drukiem, prosimy o kontakt:



এই ডকুমেন্ট-এর দেলিনা) অতিরিক্ত কপি, অতিও এবং কংগ ছাপার অক্ষর আকারে এবং সম্প্রদায়গুলোর ভাষায় অনুরোধের মাধ্যমে পাওয়া যাবে, অনুপ্রহ করে যোগাযোগ করুন:

Gheibhear lethbhreacan a bharrachd ann an cruth ris an èistear, ann an clò mòr agus ann an cànain coimhearsnachd. Cuir fios gu:

इस दस्तावेज/कागजात की और प्रतियाँ, माँगे जाने पर, ऑडियो टैप पर और बड़े अक्षरों में तथा कम्यूनिटी भाषाओं में मिल सकती हैं, कृपया संपर्क करें:

ਇਸ ਦਸਤਾਵੇਜ਼/ਕਾਗ਼ਜ਼ਾਤ ਦੀਆਂ ਹੋਰ ਕਾਪੀਆਂ, ਮੰਗੇ ਜਾਣ 'ਤੇ, ਆੱਡਿਓ ਟੇਪ ਉੱਪਰ ਅਤੇ ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਕੰਮਿਉਨਿਟੀ ਭਾਸ਼ਾਵਾਂ ਦੇ ਵਿਚ ਮਿਲ ਸਕਦੀਆਂ ਹਨ, ਕ੍ਰਿਪਾ ਕਰਕੇ ਸੰਪਰਕ ਕਰੋ:

此文件有更多備份,如果需要,語音版本和大字體版本及少數種族語言版本也可提供,請聯絡:

يمكن أن تطلب النسخ الأخرى من هذا المستند كالتسجيل الصوتي والخط المكبر ونسخ بلغات أخرى، يرجى الإتصال على:

The Commission on Strengthening Local Democracy Verity House
19 Haymarket Yards
Edinburgh, EH12 5BH
commission@localdemocracy.info

0131 474 9200

Appendix 2

The Commission on Strengthening Local Democracy: Membership

Councillor David O'Neill

President of COSLA and Chair of the Commission





Grahame Smith

General Secretary, STUC

Councillor Michael Cook

Vice President of COSLA





Louise Macdonald

Chief Executive, Young Scot

Professor Richard Kerley

Professor of Management, Queen Margaret University





Allan Rennie

Editor in Chief, Scottish Daily Record and Sunday Mall

Councillor Rhondda Geekie

Scottish Labour Group and Leader of East Dunbartonshire Council





Geoff Mawdsley

Director, Reform Scotland

Pam Duncan

Disability Rights Activist and Adviser





Councillor Drew Hendry

SNP Group and Leader of The Highland Council

Councillor Steven Heddle

Convener of Orkney Islands Council and representing Our Islands Our Future





Councillor Gordon Matheson

Leader of Glasgow City Council and representing the Scottish Cities Alliance

Councillor Maggie Chapman

Scottish Green Group





Rev. Ewan Aitken

Representing views of faith groups across Scotland

Alf Young

Writer, broadcaster and journalist





Councillor Allan Wright

Scottish Conservative Group and Leader of Moray Council

Calum Irving

Chief Executive, Voluntary Action Scotland





Jeremy Smith

Former Secretary General, Council of European Municipalities and Regions

Councillor David Parker

Independent Group and Leader of Scottish Borders Council





Councillor Martin Kitts-Hayes

Liberal Democrat Group and Deputy Leader of Aberdeenshire Council