The Highland Council	Agenda Item	15
25th June 2015	Report No	HC/25/15

Up-date on the Review of Area Committees and Local Community Planning Arrangements

Report by Head of Policy and Reform

Summary
This report provides a further up-date for Members on the progress being made to review Area Committees and local community planning arrangements based on workshops with Members locally. It advises of the support from the Highland Community Planning Partnership for partnership discussions locally to improve local community planning arrangements. The ideas for localism emerging should support the Council and its partners to meet the new requirements of the Community Empowerment legislation.

1.   Background

1.1   The current Council programme includes commitments to review Area Committees and community planning arrangements to ensure they are effective. After considering the report from the Commission on Strengthening Local Democracy Members agreed to a review of local democracy in March 2015, starting initially with workshops and conversations with Members in their localities and through discussions with the Highland Community Planning Partnership (CPP). Discussions with Members began in April and with the Highland CPP Board in March 2015.

1.2   Members re-affirmed their commitment to the review at the Council meeting in May 2015, and agreed a motion for the Highland Council to continue its leadership in this debate and that Highland Council, in partnership with community representatives, produces a report that sets out a range of viable options for local decision making through stronger local representative and participative democracy in the Highlands. Members agreed to promote and support several experiments in local democracy by April 2017.

1.3   This report provides an up-date of the workshops with Members in their localities, the discussions with CPP and the progress with the Community Empowerment Bill and how it will support localism. These developments will all feed into reports with options for local decision-making and local democracy.

1.4   At the Council meeting in August 2015, it is intended that Members will be asked to consider revised programme commitments, including those relating to community empowerment.

2. Up-date on ideas emerging for localism

2.1 <u>Local conversations with Members</u>
At the Council meeting in May 2015, Members were advised of the ideas emerging for localism from conversations with Members in Nairn; Lochaber; Skye, Ross and Cromarty; and Badenoch and Strathspey. Since then conversations have taken place with Members in:
- Sutherland, 1.6.15
- Caithness, 8.6.15
- Follow up conversations have taken place between Ward Managers and Members in Skye (Ward 11), Dingwall and Seaforth (Ward 9), Tain and Easter Ross (Ward 8) and Wester Ross, Strathpeffer and Lochalsh (Ward 6) (May and June).
- Wards 13,18 and 20 in Inverness and rural areas; 16.6.15

The feedback from these discussions is noted below.

2.2 At the time of writing, workshops for Members in the remaining Wards within the City of Inverness Area Committee are planned by the end of June. A further meeting may be required after the summer recess, depending on Member availability.

2.3 <u>Discussion with the Highland Community Planning Partnership</u>
The Highland Community Planning Partnership (CPP) has as one priority; 'to engage in dialogue with communities in order to empower them to participate in service planning and delivery.' It therefore supports partnership discussions locally to improve local community planning arrangements.

2.4 At the CPP Board meeting in March 2015, the Board acknowledged that the scope of District Partnership (DP) work was expanding and in some cases leading to duplication in reporting with the Council's Area Committees. It agreed to the review of both DPs and Area Committees at the same time to enable proposals for local community planning to emerge. The Board also agreed:
- for staff in partner bodies and Board members to be creative in developing proposals to encourage local experiments, while accepting that one size would not fit all areas and that the pace of change may vary across the region; and
- that up-dates of local discussions would be reported to the Board with any proposed changes to governance arising being considered appropriately through partners' governance arrangements.

2.5 The CPP Board also agreed that principles and values to support the reviews locally with partners would be produced by the Chief Officers Group (COG). These were reported to the Board at its meeting on 3rd June and are attached at Appendix 1.

2.6 At the meeting in June 2015 the CPP Board noted the views fed back on DP progress to date and the ideas emerging from the discussions with Members locally. It noted that the new partnership models emerging were in keeping with the requirements of the Community Empowerment Legislation (see

below). While the Board was not asked to make any decisions on the matter, it does expect to see experiments to come forward over the next 18 months in some areas and these will also be subject to Board agreement and partner governance arrangements.

2.7   Stages 2 and 3 amendments to the Community Empowerment Bill
        Key provisions in the Community Empowerment Bill were reported to Council in October 2014. This includes new rights for community bodies, including new rights to own assets and to participate in improving outcomes. These bring new duties on public bodies to support these new rights. It also provides a new definition of community planning on improving outcomes and reducing inequalities, lists the partners to be involved and identifies five core partners with shared responsibility for community planning: Councils, Health Boards, Police Scotland, the Scottish Fire and Rescue Service; and HIE (for this region).

2.8   The Community Empowerment Bill has passed Stage 2. Notable amendments passed at Stage 2 include:
        • a duty on CPPs to reduce inequalities in their area as part of the purpose of community planning; and
        • the requirement to enable more participatory decision-making, and including the use of participatory budgeting.

2.9   Stage 3 amendments are to be considered in Parliament on 17 June 2015. Amendments at this stage tend to be technical, but one notable amendment proposed by the Minister for Local Government and Community Empowerment is a new provision to produce locality community plans covering sub-geographies throughout the whole CPP area. Their focus would be to reduce inequalities and improve outcomes, and with a requirement to report progress against them.

2.10   Although the legislation is still to be finalised with timescales to be identified and guidance published, it is clear that our current arrangements need to support far more local arrangements and with partners. The discussions underway and the experiments in localism need to ensure our readiness to implement the Act.

3.   Feedback from Members in Sutherland
3.1   Members felt that for Sutherland to be a shining example of local democracy, they needed to make sure that:
        • Sutherland is strong and self-sufficient, with services and assets that people need in place.
        • The focus is on Sutherland, with the right partnership arrangements in place for strategy and for delivery, enabling different people and organisations to lead on, and to be accountable to the public for, their duties and actions.
        • Key partnership activity will focus on economic regeneration, population growth and reducing inequalities. It will involve the public, private and third sectors.
        • We learn from other European countries with sparse populations.

- We recognise and grow Sutherland's assets so that community groups are freed and supported to be feisty, able and dedicated.
- Community Councils are really empowered and with funding to do more for their communities.

3.2   To achieve this vision, Members propose:
1.   Learning from the participatory budgeting being taken forward in other Wards in 2015/16, but with potential for trying it in one community in North West Sutherland using some Ward Discretionary Budget. Ward 1 members will consider whether this is feasible in 2015/16.

2.   To no longer have a Caithness and Sutherland Area Committee, District Partnership and other partnership meetings; but instead to have a well-functioning partnership model of governance for Sutherland to meet the vision above, developing the work of earlier Sutherland Partnership Summits and include Council business and decision-making.

3.3   Feedback from Members in Caithness
Members felt that for Caithness to be a shining example of local democracy, they needed to make sure that:
- Partners agree and work towards growing the population and confidence in the local economy, benefitting from Caithness' natural assets, new opportunities and maximising benefit from public spending.
- More of the wealth generated in Caithness stays here, creating a sustainable employment base, skills development for young people and targets support to help people into employment.
- They build on the success of the Caithness and North Sutherland Regeneration Partnership by engaging more partners to all work together on, and be accountable for, improving outcomes in Caithness. This includes Council business and decision-making.
- More Council decisions are made locally especially on planning, licensing and community services.
- Community Councils are more sustainable and more people want to be involved.
- Our voluntary groups and sector are more appreciated and respected.

3.4   To achieve this vision, Members propose:
1.   To take forward participatory budgeting in 2015/16 using £30k of Ward Discretionary Funding to be held in one place drawing on £10k each from the budgets for Wards 2, 3 and 4. They hope this will lead by example and gain interest from the various funds held by other groups, notably community-benefit from wind farms.
2.   To no longer have a Caithness and Sutherland Area Committee, District Partnership and other partnership meetings. Members were critical about repeated presentations in different forums and duplication in reporting. Instead they would prefer to build on the success of the Caithness and North Sutherland Regeneration Partnership by expanding business appropriately and including Council business and decision-making.

3.5 Discussions with Members in both Sutherland and Caithness show common interest in:
- The strategic development of their respective areas given current opportunities and challenges, focusing on outcomes and reducing inequalities;
- A partnership model of governance and strengthening local community planning, with partners as well as the Council held to account;
- Moving away from one Area Committee covering both areas and taking expanded Council business and decision-making into a local partnership setting, but with clarity on the respective roles of each partner and being clear especially on those matters that only Members can decide and scrutinise;
- Appreciation of the contribution the third sector makes, how to sustain and support it further;
- Exploring how to support Community Councils better, by ensuring their stability and seeking to grow their role to strengthen local democracy;
- Participatory budgeting as a way of involving people and groups not normally engaged.

3.6 Feedback from Members in the Skye, Ross and Cromarty Area
Members in the Skye, Ross and Cromarty (SRC) Area needed more time following the workshop held in April to consider their ideas for localism. Discussions have been ongoing with the Ward Managers and some are still to be held. As this area currently covers the largest geography, discussions are still to conclude on the right scale for business, decision-making and community engagement. Some suggestions include:
- Combining Wards 7, 8, 9 and 10 (Cromarty Firth, Tain and Easter Ross, Dingwall and Seaforth and Black Isle).
- Combining Wards 6, 9 and 10 (Wester Ross, Strathpeffer and Lochalsh, Dingwall and Seaforth and the Black Isle); or
- Combining Wards 6 and 11 (Wester Ross, Strathpeffer and Lochalsh and Skye), aligning with the District Partnership.

Further discussions are required to agree which boundaries to experiment with, or to proceed with first.

3.7 Across the SRC Area, a current focus to date has been on the role of Area Committee, with a preference in some Wards for partners being invited to attend on particular items. There is no interest at this time in combining Area Committee and other partnership business; although Members in Skye are keen to align a new sized Area Committee with the District Partnership covering Wards 6 and 11.

3.8 In all Wards there is a call for more local decision-making; although in Ward 11 this does not extend to planning or licensing.

3.9 Interest in participatory budgeting relates to mainstream funding and generally not discretionary grant, but in Skye, Members are keen to consider a form of participatory budgeting for up to £2,500 of the annual Youth Budget for 2015/16. Some Members feel that participatory budgeting could be developed as a method for prioritising roads and grass-cutting budgets.

3.10 Across SRC work is still to be done on setting out the vision for local democracy, other than for Skye (see below).

3.11 Feedback from the conversation with Skye Members
Members felt that for Skye to be a shining example of local democracy, they needed to make sure that:
- Elected Members make decisions for things they are elected for.
- Local democracy is improved with more local decisions made for key Council services via devolved budgets to restructured Area Committees.
- Equity and fairness in the distribution of devolved budgets to Areas.
- Local communities have more power to decide public budgets.
- The Council has positive relationships with the community.
- Constituents get the answers they want quickly and accurately.
- Public agencies work together with the community.

3.12 Skye Members could see the potential of their Ward Forums to provide a platform for the voice of local democracy and in meeting communities' needs. They are interested in trialling a cycle of meetings planned to enable local communities to influence decision making and business considered at District Partnership and a new sized Area Committee.

3.13 Feedback from Members in Wards 13,18 and 20 in Inverness and rural area
Members felt that for Inverness and the rural area to be a shining example of local democracy, Elected Members, using a range of community leadership skills, make sure:
- We make it as easy as possible for people locally to participate. This means local people are listened to, are involved in solutions and are made aware and informed of public service issues and choices.
- That the decisions Members make are well understood.
- We find new and many ways to reach people not normally involved.
- Agencies, third sector bodies and people are in touch with each other to enable better outcomes.
- We support Community Councils interested in developing further and being more active, making the most of their democratic potential.
- We have a culture that welcomes co-operation and flexibility as ways of getting things done including supporting others to do more

3.14 To achieve this vision, Members are interested in how participatory budgeting develops elsewhere in Highland in 2015/16, with a view to trying it with ward discretionary budget in some areas from 2016/17, and potentially as a way of allocating some Common Good resources.

3.15 In their discussion Members highlighted the different types of community leadership they are required to demonstrate and how that is about supporting, encouraging and influencing others, encouraging networking as well as having an overview and taking strategic decisions. From this they identified the different types of roles Members have in governing. These were identified as:

- Making decisions;
- Scrutiny of performance and constructive challenge;
- Problems solving with others and collaboratively;
- Networking and connecting others;
- Listening – hearing different points of view and perspectives and gathering evidence;
- Taking and sharing an overview;
- Influencing and persuading others;
- Supporting others to do things.

3.16   This led to a discussion on the importance about being clear when Members exercise these different roles, having the right settings for being effective in these different roles and for partners and communities to be clear about the different roles as well so that they know how best to engage with Members.

3.17   Further discussion with other Members in the City Wards is required on changes to the City Committee, DPs and other partnership forums. The different roles above will help to consider the forms of governance that are required to strengthen local democracy, engage with partners and communities.

4.   Conclusions and Next steps
4.1   The discussions with Members since the Council meeting in May 2015 are in keeping with two models of localism that are emerging so far:
   1. Where local community planning arrangements are developed or re-developed around a smaller area than currently exists for Area Committees. This would provide a partnership forum for public sector governance across a range of issues of local importance. As each Area operates in a different context, the partners involved would vary according to what mattered to people locally. Council business would also be part of the agenda and ideally with more Council business decided locally and with clarity on whether members' roles are e.g. to scrutinise, decide, to take evidence, receive information, problem solve. A clear scheme of delegation and governance would have to be produced to support this way of working.

      This is the model emerging in Nairn, Badenoch and Strathspey, Sutherland and Caithness. This is a model that requires engagement with partners to design it.

4.2   2. Where Area Committees continue, some at a more local geography, and with more decision-making and they find alignment (rather than integration) with District Partnership and local community planning arrangements and are supported by Ward Forums. This applies to Lochaber and could, if local Members agree, apply to Skye, Lochalsh and Wester Ross.

4.3   To date participatory budgeting is to be tested in 2015/16 in Nairn, Badenoch and Strathspey, Caithness and possibly NW Sutherland using some Ward

Discretionary Grant and in Lochaber and Skye using the Youth Discretionary Budget.

4.4 The work done with Members so far on their vision for local democracy in their area begins to set out not only what needs to change but also how we might know whether local democracy has been strengthened. This is important for assessing whether any of the experiments proceeding are successful.

4.5 Early next steps are:
1. Formal discussions with partners and community bodies to scope out with them the design or re-design of local community planning forums and governance. This is needed for Nairn, Badenoch and Strathspey, Sutherland and Caithness. The principles and values set out by the CPP in Appendix 1 and the attention to the different types of roles Members have as described in paragraph 3.15 can support these discussions. Depending on progress made with local discussions, the earliest that recommendations could be made on experiments in these areas would be for the CPP Board on 11th September and Council on 29th October.
2. For further conversations among the Members in Skye, Ross and Cromarty on agreeing which 'locality' to experiment with through changes to the current Area Committee;
3. Planning for delivering participatory budgeting where there is Member interest in 2015/16.
4. Reporting to Members and the CPP Board on the requirements of the new Community Empowerment legislation and ensuring the early experiments enable full compliance with the Act.

5.   Implications

5.1 Resource implications – any change to governance and partnership arrangements have to be affordable. It is too early to assess any costs of new models emerging. The Community Empowerment Bill currently proposes that community planning is a shared responsibility across five partners (the Council, NHSH, HIE, Police Scotland and SFRS) rather than the sole responsibility of Councils to facilitate as at present. Where new local partnership arrangements are proposed, shared resourcing will be explored. An amendment to the Community Empowerment Bill at Stage 2 has led to the inclusion of participatory budgeting as a requirement on public bodies.

5.2 Legal implications – some new implications of the Community Empowerment Bill are highlighted in the report and once Stage 3 has concluded a further report will be provided on the implications for the Council and the Community Planning Partnership.

5.3 Equalities implications – amendments to Stage 2 of the Community Empowerment Bill amends the definition of community planning to be about improving local outcomes and reducing inequalities. Members have included this in Nairn, Badeonch and Strathspey, Lochaber, Sutherland and Caithness as part of their vision for their areas.

5.4 Climate Change/Carbon Clever implications – none are identified at this stage.

5.5 Risk implications – Members are aware that the Commission's advice is to see the journey to real localism as evolutionary and requiring a 10-15 year programme. By agreeing to develop several local experiments over the next two years, the pace of change and the learning from it can reduce risks arising from change. Experiments by their nature do not all succeed. Some failures as well as learning are inevitable by adopting this approach. This is noted in the CPP's values and principles for the review as set out in Appendix 1.

5.6 Gaelic implications – there are no Gaelic implications at this time.

5.7 Rural implications – the main rural implications arising so far are:
- Tackling inequalities in rural areas can be more challenging as disadvantaged households are more dispersed and can be harder to find and engage with;
- How to run participatory budgeting events in rural areas needs more thought to ensure some communities are not disadvantaged by distance. Experiments in Badenoch and Strathspey, Caithness and possible NW Sutherland will test out different ways of rural participation.

---

6. Recommendation

6.1 Members are asked to note:
1. The progress being made since the up-date provided in May 2015.
2. The workshops with Members in Sutherland and Caithness and the follow up discussions in some Wards in Skye, Ross and Cromarty support the two different models reported previously; one combining Council and partner business with community involvement into a community partnership; the other focusing more on the Area Committee with distinct governance, aligned to District Partnerships and supported by Ward Forums.
3. Participatory budgeting is to be tried in several localities in 2015/16, using different approaches.

6.2 Members are asked to agree to the next steps as set out in paragraph 4.5 above: for discussions with partners and community bodies in Nairn, Badenoch and Strathspey, Caithness and Sutherland; for Members to consider the different options around localities for governance within Skye, Ross and Cromarty and identify an experiment; and for further reports on the requirements of the new Community Empowerment legislation, ensuring the early experiments enable full compliance with the Act.

6.3 Members are asked to note that it is intended that amendments to the Council Programme on community empowerment will be reported to the Council meeting in August 2015.

Author: Carron McDiarmid, Head of Policy and Reform
Date: 15.6.15

Values and Principles to be used in discussion to guide proposals for local experiments.

1. Local community planning is about engaging with, listening and responding to communities and there should be a roots-up approach;
2. There should be a bias towards the most deprived communities;
3. There should be a solutions-driven approach;
4. It was necessary to be helpful, positive and make it easy for people to engage;
5. Innovative thinking was required in terms of engagement processes – for example, going out in to the community, not having a specific agenda, utilising technology and social media;
6. There should be an emphasis on involving new people, particularly younger people, in local community planning;
7. The CPP should demonstrate effectiveness, accountability and a willingness to share resources;
8. Outcomes should be measurable in order to demonstrate tangible benefits;
9. The activities and objectives within the SOA should set the boundaries for decision making;
10. Fairness and equality were key;
11. It was important that there was two-way communication between strategic and local forums;
12. Elected Members had different roles at different forums and it was necessary to be explicit about that and support them;
13. It might be necessary to accept that there were different geographical boundaries for some issues;
14. It was essential to avoid duplication and inefficiency; and
15. Forgiveness of false starts and wrong turns should be included.