

## The Highland Council

29.10.15

|             |          |
|-------------|----------|
| Agenda Item | 19       |
| Report No   | HC/53/15 |

### Localism Action Plan

Report by Head of Policy and Reform

#### Summary

Members are asked to note the progress being made with the localism experiments already agreed and to agree a Localism Action Plan.

## 1. Background

- 1.1 Members have considered how to strengthen local democracy at each Council meeting since December 2014. Since then Members have agreed to take forward several experiments by March 2017. At the last meeting of the Council Members agreed that the early experiments would be in Caithness, Sutherland, Nairn, Badenoch and Strathspey, Lochaber and Skye. This report provides an up-date on progress being made in localising Council decision-making and community planning and sets that within a wider programme of work to support localism.
- 1.2 The Council's Programme 'Highland First' has three key commitments to strengthen local democracy, to empower communities and to develop local community planning. The commitments are listed in full in Appendix 1.
- 1.3 New duties for the Council arising from the Community Empowerment (Scotland) Act 2015 will support the Council's approach to localism, as previously [reported](#). In addition guiding principles for the Localism Action Plan are available from:
  1. The seven principles for stronger democracy in Scotland (Commission on Strengthening Democracy) – Appendix 2
  2. The values and principles for local community planning – agreed for use by the Highland Community Planning Partnership Board – Appendix 3

## 2. Localism Action Plan

- 2.1 A draft localism action plan is attached at Appendix 4 Members to consider. It covers:
  - The progress with developing the local experiments;
  - The progress with implementing new duties arising from the Community Empowerment legislation; and
  - Campaigning activity seeking further devolution of power to Highland.
- 2.2 Since the last meeting of the Council in September, key actions achieved include:
  1. Disbanding two Area Committees for more local arrangements to be put in place and by the time the Council meets in October the new local

arrangements will be confirmed following discussions with the Members in the Wards affected;

2. Agreement with nearly all Community Planning Partners to participate in the local experiments, with the NHS Board considering this in early November;
3. The first participatory budgeting process concluded and a success in Lochaber in September 2015.
4. Contributing to 10 local roadshows run by the Highland Third Sector Interface for community bodies on the new rights they have arising from the Community Empowerment Act.

### 2.3 Key actions identified by the end of December 2015 are:

1. Skye is decoupled from the Skye, Ross and Cromarty Committee with agreement with local Members on how they would like to proceed locally;
2. An initial review of the scheme of delegation for local decision-making and resourcing for new local forums and partnerships is identified;
3. NHS Board decided how to engage with local community planning partnerships and implications for some District Partnerships are clarified;
4. First local partnership discussions take place in Sutherland and in Nairn;
5. Training and development needs for local officers, partners and Members start to be identified;
6. Participatory budgeting takes place in Caithness (public event is in November 2015);
7. Further discussions are held with Members in Ross and Cromarty and Inverness city and surrounding areas to consider options for localism;
8. Partnership work on participation requests and a joint approach to asset transfers continue.

## 3. Implications

### 3.1

Resource implications: Work is underway to put in place arrangements to support the new local meetings and discussions with partners are scheduled. Further information will be reported to Council in December including the staff and other resources that will be required to support the new arrangements.

Legal implications: The Council's approach to localism will help it to meet its duties under the Community Empowerment (Scotland) Act 2015.

Equalities implications: Equality groups as community bodies will be encouraged to take part in the new local CPP arrangements.

Climate Change/Carbon Clever implications: Encouraging more people to take part in local decision-making could involve more travel for community bodies not currently engaged, although distances to travel will vary across Highland and may be negated by using more on-line approaches (e.g. participatory budgeting in Lochaber was done mostly on-line).

Risk implications: The development of a localism action plan should help us to coordinate activity and ensure good progress is made. Some experiments may be more successful than others and making changes where required will reduce risks.

Gaelic implications: None are identified.

Rural implications: The early experiments are all in rural areas.

**4. Recommendation**

4.1 Members are asked to:

1. Note the recent actions and next steps to support the Council's approach to localism;
2. Agree the Localism Action Plan attached.

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## Highland First Commitments on Localism

### Strengthening Local Democracy

- We will be at the forefront in Scotland of bringing democracy closer to our communities.
- We will create new and better ways of involving communities in decisions affecting them.
- We will deliver new arrangements to deliver decentralised local decision making, prior to the Local Government elections in 2017.

### Empowering Communities

Along with our Community Planning Partners, we will bring forward ways to implement the commitments contained within the Community Empowerment Act to ensure that where they wish to, communities are able to fully participate in the development of services and taking over the running of facilities and land. This will include:

- Development of an asset transfer policy, ensuring we have a transparent and simplified process for communities.
- Reviewing ways of supporting communities to lead on the delivery of services locally.

### Local Community Planning

Working with our partners, we will develop new arrangements to deliver Community Planning at a local level, prior to the Local Government elections in 2017.

**Seven principles for stronger democracy in Scotland**

- 1. The principle of sovereignty**  
Democratic power lies with people and communities who give some of that power to governments and local governments, not the other way around.
- 2. The principle of subsidiarity**  
Decisions should be taken as close to communities as possible, and the shape and form of local governance has to be right for the people and the places it serves.
- 3. The principle of transparency**  
Democratic governance should be clear and understandable to communities, with clear lines of accountability.
- 4. The principle of participation**  
All communities must be able to participate in decision-making that affects their lives and their communities.
- 5. The principle of spheres not tiers of governance**  
Different spheres of democratic governance should have distinct jobs to do that are set out in 'competencies', rather than depend on powers being handed down from 'higher' levels of governance.
- 6. The principle of interdependency**  
Every sphere of governance has to support the others, and none can be, or should seek to be, self-contained and self-sufficient.
- 7. The principle of wellbeing**  
The purpose of all democratic governance is to improve opportunities and outcomes for the individuals and communities that empower it.

**Values and Principles to be used in discussion to guide proposals for local experiments.  
CPP Board June 2015**

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 is necessary to be helpful, positive and make it easy for people to engage.
5. Innovative thinking is 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 is important that there was two-way communication between strategic and local forums.
12. Elected Members have different roles in different forums and it is necessary to be explicit about that and support Members with these roles.
13. It might be necessary to accept that there are different geographical boundaries for some issues.
14. It is essential to avoid duplication and inefficiency.
15. Forgiveness of false starts and wrong turns should be included.

## Draft Localism Action Plan

| <b>1. Developing the local experiments</b>  |   |                               |  |
|---|---|-------------------------------|--|
| <b>Action agreed:</b>   |   |                               |  |
| <b>1.1 Early experiments to localise Council decisions and create local community planning partnerships in Caithness, Sutherland, Nairn, Badenoch and Strathspey and Skye.</b>      |   |                               |  |
| <b>Tasks</b>  | <b>who</b>  | <b>When</b>                   | <b>Progress as at 16.10.15</b>   |
| 1. Two Area Committees disbanded with statements at last meetings   | Area Leaders  | Sept 2015                     | Done   |
| 2. Decoupling of Skye from SRC Area Committee   | Area Leader   | Nov 2015                      | Announcement to be made at SRC Area Committee on 18.11.15  |
| 3. Dates confirmed for new meetings in 2016 (4 meetings per annum)  | HoCG  | Council meeting October 2015  |  |
| 4. Review web casting capacity for new forums (ICT and staff)   | HoR&BS  | Council meeting December 2015 | Technical and resource implications being assessed   |
| 5. Review committee services capacity for supporting the new arrangements   | HoCG  | Council meeting December 2015 | Implications being identified  |
| 6. Review scheme of delegation - focus on decisions and scrutiny (not just for experiment areas) and group by service   | Dir of Corp Dev/HoCG/HoPR                                       | Council meeting December 2015 | Work underway  |
| 7. Review scheme of delegation – community services decisions and budget to be effective 1.4.16 (Not just for experiment areas). To use the principle of subsidiarity               | Dir Community Services, Dir Finance, Dir of Corp Dev/HoCG /HoPR | Council meeting March 2016    | Discussion with Chair and Vice Chair of Community Services. Currently quantifying current spend in new localities. |
| 8. Partner agreement to participate in local forums   | CPP Board   | Sept 2015                     | Agreed, more time requested by NHS   |
| 9. NHS Board to consider at Development Day, including DP impacts / changes   | NHS Board & CPP input   | Nov 2015                      | Council staff participating at event   |
| 10. Discussion with members in ward business meetings to design the first meeting of new forums / partnerships.<br><br>Identify local partners and community bodies to participate. | HoPR/WM team/local members                                      | End October 2015              | Done for Sutherland (28.9.15), Nairn (2.10.15). Scheduled in Caithness 26.10.15, B&S 27.10.15 and Skye 29.10.15    |
| 11. First local partnership meetings take   | HoPR/WM   | Council                       | Sutherland 1.12.15   |

|  |                               |                    |   |
|--|-------------------------------|--------------------|---|
| place. First meeting to:   | team/local members            | meeting March 2016 | Nairn 9.12.15<br>Dates for remaining areas TBC                                      |
| <ul style="list-style-type: none"> <li>Brief on localism, CE Act, forum ideas and name</li> <li>Develop local Members' vision statement</li> <li>Agree how to structure partnership business (e.g. topics, frequency, charring, tone, venues, resourcing, public participation)</li> <li>Confirm learning as we go, how we can evaluate together and any joint training/development</li> </ul> |                               |                    |   |
| 12. Training and development for officers :  | HoPR/ HoCG/ L&D Manager       | Jan 2016           |   |
| <ul style="list-style-type: none"> <li>On governance for WM Team and Committee Services (Code of conduct, Scheme of delegation, standing orders and escalation routes)</li> <li>Presentation skills for local officers TBI</li> <li>On practising dialogue</li> </ul>  | L&D Manager                   | Jan 2016           | External training being explored and for partners                                   |
| <ul style="list-style-type: none"> <li>Enabling community participation in services</li> </ul>   | HoPR/WM Team L&D Manager/ COG | Early 2016         | As above and potential with SCDC  |
|  | As above                      | TBC                |   |
| 13. Training and development for Members:  | HoPR/ HoDS/ L&D Manager       | Jan 2016           | For partnership and empowerment roles could use 'Arts of democracy' attached below. |
| <ul style="list-style-type: none"> <li>recognising different roles in Council and in partnership business</li> <li>On practising dialogue</li> <li>Others TBI</li> </ul>   | HoPR/WM Team/COG              |                    |   |
| 14. Participatory budgeting in Lochaber, Caithness, Nairn and Badenoch and Strathspey  | WM Team/local members         | April 2016         | Lochaber done. Caithness Nov 2015, Nairn by March 2016, B&S tbc 2016                |

**Action agreed:**

**1.2. Lochaber experiment of more local decision-making through the Area Committee and more community engagement in the local CPP and better linkages between the Committee and local CPP.**

| Tasks                                      | who                             | When | Progress as at 16.10.15                    |
|--|---------------------------------|------|--|
| 1. Any additional support to be identified | Local Members and local WM team |      | Members consider in Ward Business meetings |
| 2. Participatory budgeting                 |                                 |      |  |



|  |  |                    |   |
|--|--|--------------------|---|
| - Deliver PB for youth budget              | Local Members and local WM team        | Sept 2015          | Done. Very positive results on new and wide participation |
| - Consider further use of the approach     | Local Members and local WM team        | From Sept 2015     |   |
| 3. Agree how to evaluate Lochaber approach | Local Members , local WM team and HoPR | Council March 2016 |   |

**Agreed:**

**1.3. Confirm geographies for any further experiments in Ross and Cromarty and Inverness and surrounding area**

| Tasks   | who                             | When                     | Progress as at 16.10.15   |
|---|---------------------------------|--------------------------|---|
| 1. Identify preferences of members in Ross, Cromarty and Lochalsh<br><br>May have different areas for Council business and local CPPs. Further meetings to be arranged. | Local Members, HoPR and WM team | Local members to confirm | Meeting on 28.9.15 confirmed 2 options:<br>1. Wards 6-10 as one area<br>2. Two groupings - Wards 7&8 and Wards 6, 9 & 10. |
| 2. Develop local vision statements  | Local Members, HoPR and WM team | Local members to confirm | Work has started and needs to conclude  |
| 3. Bring 3 separate workshop views together for Members to consider how they want to proceed  | Local Members, HoPR and WM team | By end Jan Jan 2016      | Member briefing to be arranged  |

**2. Implementing new duties arising from the Community Empowerment legislation**

**Action agreed/proposed:**

**2.1 Revise remit of CPE Committee to oversee CE Act and localism experiments**

| Tasks   | who  | When                    | Progress as at 16.10.15 |
|---|------|-------------------------|-------------------------|
| 1. Review remit and amend the Scheme of Delegation for the Community Safety, Public Engagement and Equalities Committee | HoPR | Council meeting October |                         |

**Action agreed/proposed:**

**2.2 Early actions to develop new processes for implementing the Community Empowerment Act (pre statutory guidance)**

|  |                        |                    |               |
|--|------------------------|--------------------|---------------|
| 1. Support for the HTSI community events on the Act and the opportunities for the sector | WM Team and HoPR       | By end Sept 2015   | Done          |
| 2. Partnership approach to participation requests to be designed                         | C&DEM and CPP partners | July 2016          | Work underway |
| 3. Review Community Challenge Fund (CCF)   | C&DE Manager           | Council March 2016 | Work started  |
| 4. Partnership approach to support asset transfers to be designed                        | C&DEM and partners     | July 2016          | Work underway |

|  |   |  |                    |  |
|--|---|--|--------------------|--|
|  | 5. COG reviewing new requirements on CPPs with proposals on how to comply and share resources   | COG  | March 2016         | Next discussion Nov 2015   |
|  | 6. Approaches to identifying localities with poorer outcomes to be shared in partner organisations (SIMD and SEP indices)                         | COG and each partner's governance structures                   | March 2016         | CPP Board agreed June 2016 to use new index for rural areas to complement SIMD           |
|  | 7. Consider links with development trusts and community benefit   | Ward Manager (Ward 6), WM team and HoPR                        | March 2016         | Attendance at DTAS conf. Sept 2015. Meeting with SSE TBC. Desk top review of CB drafted. |
|  | 8. Complete review of WM function including transfer of RPO duties  | HoPR / Wm Team / relevant Directors                            | By April 2016      | Alternative arrangements being reviewed  |
| <b>Action agreed:</b>  |   |  |                    |  |
| <b>2.3 Deliver transformation projects on community participation in service delivery</b>  |   |  |                    |  |
|  | <b>Tasks</b>  | <b>who</b>   | <b>When</b>        | <b>Progress as at 16.10.15</b>   |
|  | 1. Up-dates to Transformation Board and reports to Resources Committee  | HoPR   | To 2018            | Monthly reports to Board.  |
|  | 2. Current activity supporting community participation in transport services, grass cutting and amenity works                                     | C&DE Manager / Principal Policy Officer and Community Services | To 2018            | Proposals underway   |
| <b>3. Campaigning activity seeking further devolution of power to Highland</b>             |   |  |                    |  |
| <b>Action agreed and proposed:</b>   |   |  |                    |  |
| <b>3.1 Investigate establishing a Highland Commission on Strengthening Local Democracy</b> |   |  |                    |  |
|  | <b>Tasks</b>  | <b>who</b>   | <b>When</b>        | <b>Progress as at 16.10.15</b>   |
|  | 1. Agree the purpose of a Highland Commission and how it might operate  | HoPR   | Council March 2016 | Council motion Oct 2015  |
|  | 2. Identify related work streams e.g. Islands Bill, Seven Cities, Scotland Bill, SLD recommendations for Govt, Land Reform Bill and Crown Estate. | ELT  | Council March 2016 |  |

#### Glossary

CCF – Community Challenge Fund

CPP – Community Planning Partnership

C&DE Manager – Community and Democratic Engagement Manager (also included in Ward Management Team)

COG – Chief Officers Group of the community planning partnership

ELT – Executive Leadership Team

HoCG – Head of Corporate Governance

HoPR – Head of Policy and Reform

HTSI – Highland Third Sector Interface  
L&D Manager – Learning and Development Manager  
SCDS – Scottish Community Development Centre  
SEP – Socio-economic performance index - for use in rural areas  
SIMD – Scottish Index of Multiple Deprivation  
SLD Commission – Strengthening Local Democracy Commission  
WM Team – Ward Management team (includes C&DE Manager)

**Ref action plan 1.1.13:  
Living democracy: The Arts of Democracy:**

- Active listening – it reflects back what is heard and allows both the listener and speaker to find greater understanding through the listening process.
- Public dialogue – requires conscious commitment to explore – asking ‘why’ – ‘why do you and I think as we do and to what ends?’ Needs to have an environment for full participation and look at differences as occasions for examining underlying assumptions. Asking questions and listening to points of view we don’t share.
- Creative conflict – needs critical, constructive, honest and open confrontation. This can give clarity and learning – each understanding better why the other side feels the way it does. Helps define the problem more accurately, not jumping to conclusions, can provide light to generate new idea rather than just heat of argument. Because people are different conflict is inevitable.
- Political imagination – and to see the other person’s view point.
- Reflection/evaluation – How did you feel? What worked? What didn’t work? How could we do better?
- Public judgement – deeper than public opinion.
- Accountability – report cards for public officials.

[www.co-intelligence.org/CIPol LivingDemoc.html](http://www.co-intelligence.org/CIPol_LivingDemoc.html)