

# The Highland Council

8 September 2016

Agenda Item	12
Report No	HC/34/16

## Commission on Highland Democracy - update

### Report by Acting Head of Policy

#### Summary

This paper provides Members with an update on progress to establish an independent Commission on Highland Democracy. The commission could be launched in mid-September, which would allow the findings and final recommendations of the Commission to be published in May 2017.

#### 1. Background

- 1.1 The Highland Council has taken a keen interest in the work of the Commission on Strengthening Local Democracy and the report it published in 2014. Members are also aware that our survey results show that there is an appetite from people across the Highlands to be more involved in democratic and decision making processes; but also that that few people in the region feel that they are involved in how the Council spends its money, or feel that they have influence over decision making in their local area. In the Council's programme, "Highland First", the Council has committed to:

##### 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.
- 1.2 At the Council meeting in March 2016, Members were advised of proposals to establish an independent Commission on Highland Democracy. Members agreed that Group Leaders would meet with the proposed independent Chair of the Commission, Rory Mair CBE, to consider the issues associated with a commission and to identify potential commissioners. Partner interest would also be gauged and it was agreed that further progress should be reported back to the Council.
- 1.3 Since then Rory Mair has met with Group Leaders and some of the groups to discuss the scope of the Commission. A discussion with the Community Planning Partnership Chief Officers Group also took place. The Council provided secretariat support for these meetings
- 1.4 From these discussions, and building on the national report on strengthening local democracy, the Commission on Highland Democracy would continue conversations locally about the kind of democracy we want to have in the Highlands. This would include gathering a wide range of views from people

across the Highlands on how best to enable public participation in decisions about public services, with a focus on the Council, and how to encourage good democratic practice.

## **2. Commissioners**

- 2.1 The recommendation from Rory Mair is that up to 16 commissioners could be appointed – including six Councillors representing all the political groups at the Council. The Commission would run independently of the Council so that it can effectively challenge local democracy.
- 2.2 Potential commissioners would be expected to bring their perspective to the process; scrutinise evidence; listen to the will of Highland communities; and challenge the current state of democracy in the Highlands. People have been approached by Rory Mair and the Leader of the Council who have the skills to ensure that the Commission is able to understand and interpret the wishes of the people of the Highlands. The membership of the Commission will be announced before its first meeting.

## **3. Timeframe and Methods**

- 3.1 The Commission can be launched in mid-September and is expected to present an interim report in early 2017, with final recommendations following the Local Government Elections in May 2017.
- 3.2 At a potential first meeting of the Commission in September, it is expected that the Commission would agree the main issues and themes it wants to explore through its work, and the methods of how it would achieve this. This first meeting would be supported by the Improvement Service who have drafted a background paper on local democracy to give the Commission a starting point for discussions. Colin Mair, Chief Executive of the Improvement Service, would also help to facilitate the first meeting of the Commission.
- 3.3 As noted, the methods used to explore local democracy in the Highlands would be determined by the Commission. However, it can be expected that the Commission would choose to use a wide range of techniques, including public meetings across the Highlands (speaking with communities of place and interest), asking for evidence from relevant expert sources, and online discussions using a digital engagement tool.
- 3.4 Public meetings would not be attended by all of the commissioners. Rather, it is expected that up to three commissioners would attend and report back to the wider group on the discussions they have had. This would allow a greater number of meetings to happen ensuring greater number of discussions with communities across Highland.
- 3.5 It is expected that at the first meeting of the Commission, the group would establish a series of questions or propositions to be explored on local democracy in the Highlands. Following this, the Commission would then collect evidence on these and prepare an interim report in early 2017 to state what they have found so far, and what the second phase of the Commission will focus on.

3.6 It is expected that the Commission would meet between four and six times to report back and discuss what they found through the evidence they have gathered. The progress of the Commission would continue to be presented to future meetings of the Highland Council.

#### **4. Implications**

- 4.1 Resource Implications: Costs related to the Commission would be kept to a minimum. Rory Mair, the Improvement Service, and all Commissioners will be asked to give their time at no cost. There would be costs associated with travel and subsistence, venue hire, officer time to provide secretariat support, and the use of an online digital engagement tool. Members agreed this in-kind, and expenses, support at its meeting in March and these costs will be met from existing budgets.
- 4.2 Legal Implications: The Community Empowerment Act places a duty on public bodies to enable public participation in decision making. The statutory guidance is still awaited, but the Council's support of a Commission to explore how best to enable the public to be better involved in local democracy would demonstrate commitment to this new duty.
- 4.3 Equalities Implications: It will be important that the Commission gathers as wide a range of views as possible, especially from some groups that may feel more excluded from local democratic practices. Consideration would be given to ensure that techniques for gathering evidence are suitable for all and also the support that certain groups may need in order to participate.
- 4.4 Climate Change/ Carbon Clever Implications: The Commission would involve travel to hear evidence from communities and individuals. Where possible public transport and car sharing would be used. Some evidence may also be collected over the phone, via e-mail, and online using a digital engagement tool.
- 4.5 Risk Implications: There are several risks associated with the Commission including stakeholder support for it, ability to appoint Commissioners, clarity of its purpose, the time scales for it, its success in engaging with diverse communities, and being listened to. Early discussions with group leaders have helped to progress the Commission's proposals and early discussion with commissioners will identify how to mitigate risks.
- 4.6 Rural implications: The Commission would need to be mindful of looking at local democracy across the whole of the Highlands, including in both rural and urban settings.
- 4.7 Gaelic Implications: It may be that specific issues relating to Gaelic and local democracy are captured through the Commission. If so it is expected that these would be reported as part of the Commission's findings.

## **Recommendation**

Members are asked to note:

1. The progress being made with the establishment of an independent Commission on Highland Democracy;
2. Its proposed launch in mid-September;
3. That six Members representing all groups within the Council will be invited to take part;
4. That an interim report is expected in early 2017, with final recommendations expected following the Local Government Elections in May 2017;
5. That the Council can continue to support the Commission by providing the secretariat and a small budget which will be met from existing budgets to enable community and stakeholder engagement as agreed in March 2016.

Author: Stephen Carr, Principal Policy Officer. 24 August 2016.

Background Papers: [Highland Council, 10 March 2016. "Proposal to establish a Commission on Highland Democracy". Item 11.](#)

[Commission on National Strengthening Local Democracy \(2014\) "Effective Democracy: Reconnecting with Communities."](#)