

Community Empowerment (Scotland) Bill

Policy Memorandum

Easy Read version

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Part One.

Introduction.

This document is about the Community Empowerment (Scotland) Bill. This was put forward in the Scottish Parliament on 11 June 2014. A **Bill** is a paper that gives details of what a new law will be, or what changes will be made to another law.

A Bill says what the Government plans to do but it has to be agreed by the Parliament before it is the law. The **Scottish Parliament** can make laws about lots of things that matter to people in Scotland.

People can still ask for changes to the Bill while the Scottish Parliament is looking at it. This can be done by writing to the **Local Government and Regeneration Committee** who will be looking carefully at what is in the Bill. The closing date is Friday 5 September 2014. Comments should be no more than eight pages long in a Word Document. These should be emailed, if possible, to: communityempowermentbill@scottish.parliament.uk

Responses can also be sent by post to: Clerk to the Local Government and Regeneration Committee, Committee Office, Room T3.40, Scottish Parliament, Edinburgh, EH99 1SP.



You can also contact your local Member of the Scottish Parliament (MSP) to ask them to suggest changes to the Bill. An **MSP** is the person who is elected to speak for local people in the Scottish Parliament.

Policy Memorandum.

A **policy memorandum** is a paper written by the Scottish Government to explain what the Bill is about. Legal words are used in the Bill. These can be difficult to understand. The policy memorandum explains why the Bill is needed and how it will help people in Scotland. This **Easy Read** version of the policy memorandum has been written to make sure as many people as possible can understand what is in the Bill.

Part Two.

What the Community Empowerment (Scotland) Bill is for.

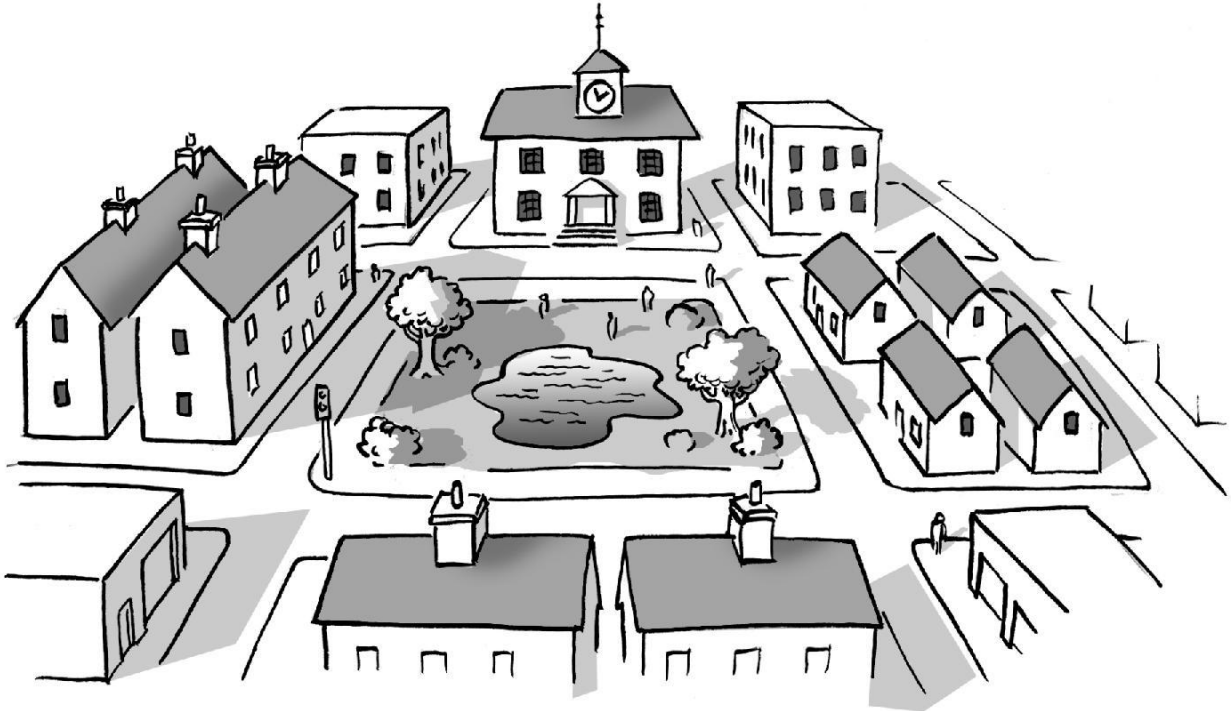
The main job of the Scottish Government is to make Scotland a more successful country with better chances for everyone. This will only be done by making the most of all the talents of Scotland's people.

The **Scottish Government** believes that Scotland's people are its greatest strength. They know best what is needed to build strong communities.

Local councils also understand the needs of their communities. The Scottish Government wants to work closely with local councils to make sure people get everything they need.

The Bill sets out a plan for empowering all the people of Scotland. This means everyone can get involved and help to make important decisions.

Community Empowerment



Communities can be groups of people in the same local area, or groups of people with a common interest.

People feel better when they have a say about what happens in their communities. They can make things better because they know what will work for them. People feel more confident and learn new skills when they have the right support. This can mean:

- more jobs
- more access to services and support
- less crime
- better health
- more equality

Public service providers should give communities a say in how services are given. Examples of **public service providers** are hospitals, schools, police, and local councils. Communities should also have help to do things for themselves if they need help. This could be for things like taking over a building for people to meet and socialise, or helping people learn new skills.

People who shape and run public services should ask local people what services they need. They should also ask how these should be delivered. The Scottish Government thinks this is important. There need to be more ways for people who run services to talk with people about the kind of services they want.

Improving Public Services.

Scotland's public service providers offer good quality services which help the community. But some changes need to be made. A report done in 2011 showed that public service providers need to work better with each other and with communities. The **Community Empowerment (Scotland) Bill** says how the Scottish Government plans to make this happen.

Changes in the law.

Changing the law will not be enough to make community empowerment happen. But there are ways that it can help. The Scottish Government can make it easier for communities to get help and support to do things for themselves and to have a say about public services.

Community empowerment is not a new thing. It is already happening in lots of places across Scotland. But some places in Scotland have done well and some places have not done so well. We want to find out what has worked best and make it happen for all parts of Scotland.

The reason for this Bill is to remove barriers and make it easier for communities to get the services they want.



Consultation.

In 2012 and 2013 the Scottish Government asked people for their views about community empowerment. There were conferences, local meetings and roadshows involving professionals and people from local communities. Lots of different people and groups gave their views. The **consultation** showed that some changes to the law were needed. The Scottish Government came up with some ideas for changes to the law. They asked people what they thought about these ideas. Most people liked the ideas. There were lots of helpful suggestions.

Part Three.

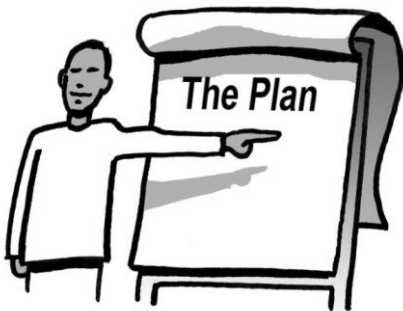
Suggested changes to the law.



1. National Goals.

In 2007 the Scottish Government made a plan for the kind of Scotland they wanted to see. This was called “**Scotland Performs**”. All public services in Scotland are working towards this plan. Services are judged on how well they change things for people and communities.

The Scottish Government thinks that all future Governments should make a plan like this at least every five years. Before making the plan they must ask people what they want for Scotland. Once they have a plan they must check often to see if the goals are being met, and report on this.



2. Community Planning.

The Scottish Government expects public service providers to work together and with communities to make sure their services meet people’s needs. This is already happening in many parts of Scotland.

The Scottish Government wants to change the law so that public service providers have to set up a Community Planning Partnership in each local council area. There are 32 local council areas in Scotland. The **Community Planning Partnership** is made up of people from the local council, health, police, fire and transport services. They make sure that there are good services provided in the local community. The new law would mean that all public service providers would have to work together and with local communities to improve services.

3. Having your say to make public services better.



The Scottish Government expects public service providers to talk to communities and help them have their say about services. The Scottish Government wants to give community organisations more power to have their ideas listened to.

Community organisations should be open to everyone and really speak for their community. If they think they can help to improve services they will be able to contact the service provider and make suggestions. The community organisation might even suggest taking over and providing the service itself.

The public service provider must talk to the community organisation about their ideas for changing the service. If the provider is already talking to other organisations about the same service it might ask the community organisation to join in with that. The public service provider must talk to the community organisation. If the public service provider does not agree to talk to the community organisation they must explain why.

Land and buildings.



4. Community Right to Buy.

It helps communities if they take control of important land and buildings. They could do up empty buildings or make new buildings for community projects. Communities can be better places to live if there are more local shops and services. All of this can make people happier. It can bring more money into the community and make more people want to live there.

Communities in countryside areas can already say they want to buy a particular building or piece of land. When the owner of that land or building decides to sell it they have to sell it to the community organisation if the Scottish Government agrees. The Scottish Government wants to change the law so that communities all over Scotland can do the same. They will also make the law about this easier to use.

In some communities there is land that may not be put to good use and buildings that may be run down. The Scottish Government wants to change the law so that community organisations can buy this type of land or buildings so they can do something useful with them. This new law would allow that to happen even if the owner does not want to sell their land. This could make local areas better places for everyone to live.

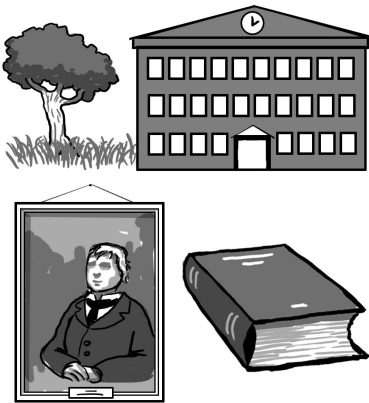


5. Taking over publicly owned land or buildings.

Local councils, government organisations and other public bodies own or rent lots of land and buildings, like schools, hospitals, parks and forests. Sometimes not all of the building or land is being used. The building could be put to better use by the community.

The Scottish Government wants to change the law so that community organisations can ask to take over control of these buildings or land. The local council, government organisation or other public body will have to listen to what the community would like to do. If the community organisation's plan is better for local people, they will be allowed to buy or rent the land or building.

Community organisations who want to do this should be open to everyone and really speak for their community. If they want to buy the land or building they will have to become a company or **Scottish Charitable Incorporated Organisation** (SCIO). This is a special type of company which is also a charity. This is a way to help to deal with the responsibilities of owning land.



6. 'Common Good' Property.

Local councils look after land, buildings, art and other things which have been given to them as gifts in the past. This was done so that councils could help the people living in their area. This is known as

'common good' property. They also have money that they have made from common good property. Lots of people care about common good property. Sometimes the local council do not tell people what common good property they have or what they plan to do with it.

The Scottish Government wants to change the law so that local councils have to make a list of all their common good property and let everyone see it. People will be able to tell the local council about any common good property they have missed off the list. This will make sure that the local council's list of common good property is correct.

The local council will also have to make sure that people in the community are told about any changes to any common good property. They will have to consult community councils and community groups before they sell or change the use of any common good property.



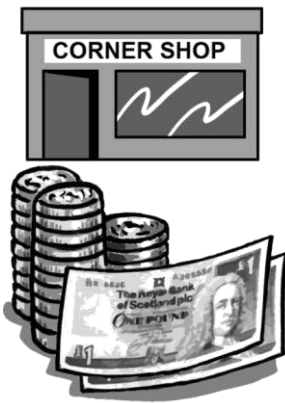
7. Allotments.

People like to know where their food comes from. More and more people want to grow their own food. Growing food and working with the environment are healthy and fun things to do.

It would be good for communities if they had more space for gardening and growing plants. A good way of doing this is to make allotments. **Allotments** are small areas of land that people can rent from local councils to grow their own food.

The current law on allotments is old and hard to understand. People were asked about their views on this law in 2013. The answers helped the Scottish Government shape what the new law should be. It was decided that a new law would be written instead of trying to change the old one.

The new law will make local councils keep a waiting list for allotments. Local councils will also have to try to provide more allotments if too many people are on the waiting list. Local councils will have to get permission from the Scottish Government before they can sell or change the use of land used for allotments. Local councils will also have to publish an allotments report every year. They will have to say what their plans are to let people grow their own food. They will also have to make clear what people can or cannot do on their allotment.



8. Business rates.

Business rates are money that businesses have to pay to the local council. The Scottish Government believes that successful local businesses help make stronger communities. The Scottish Government wants to change the law so that a local council can sometimes let some

businesses pay less money. This could make more businesses want to come to the community. The money businesses save could be used to help the community. This may help businesses to do well and may be good for communities.



Part Four.

Equality and human rights.

Equality means everyone having the same chances to do what they can. Some people may need extra help to get the same chances.

The Community Empowerment (Scotland) Bill was checked by the Scottish Government to make sure that the new law would not be discriminating against anyone. This is called an **Equality Impact Assessment**.

Discriminating means treating someone worse than other people for some reason. The Equality Impact Assessment found that the Bill is not discriminating.

The **Equality Act 2010** is a law that makes sure that all people are treated fairly. The public sector equality duty is part of the Act. The Scottish Government, local councils and public service providers must make sure that they always have this duty in mind when making decisions under the Bill.

Human rights are basic rights and freedoms that belong to every person in the world. The Community Empowerment (Scotland) Bill will not harm people's human rights.



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The Scottish Government
St Andrew's House
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