

Community Empowerment and Renewal Bill

Have your say - analysis of responses

The Scottish Government wants Scotland to be successful. It wants businesses to be able to grow and for everyone to be able to do well.

To do this, the Government wants local communities to get the chance to do more for themselves. It wants people to take part and help decide what happens where they live.

Last summer, the Scottish Government asked people in Scotland about ideas to make this happen. This paper helps to explain what everyone said.

Easy-read Summary

Introduction

What is the Community Empowerment and Renewal Bill?

The Scottish Government wants to make a new law.

It wants to make it easier for communities to use buildings, land or resources that are not being used. It wants to help people get involved in decisions about the services in their community. It wants local communities to get the chance to do more for themselves.

Why did the Scottish Government consult on ideas for the Bill?

To help make the new law the Scottish Government wanted to tell people about ideas and information that might go into the new law. The Scottish Government wanted to ask people what they thought about these ideas and if they had any other ideas about getting communities involved.

To do this the Scottish Government produced two consultation papers. The full consultation paper contained 49 questions and talked about a number of different ideas.

The Easy Read consultation paper was shorter and highlighted some of the main ideas to help make it easier for individuals and small organisations to respond.

The consultation papers were published on 06 June 2012 and the Scottish Government asked people to tell them what they thought by 26 September 2012.

What was in the Easy Read consultation paper?

The Easy Read consultation paper had 3 parts:

- Part 1 Making it easier for communities to take part and have their say
- Part 2 Helping communities to own land and buildings in their area
- Part 3 Making the best use of buildings and land

It only had 15 questions and focused on some of the most important ideas in the full consultation paper. It said people could answer as many questions as they wanted.

What is this paper about?

Everyone could respond to the consultation papers and tell the Scottish Government what they thought.

447 individuals and organisations (like councils, charities, housing associations and businesses) responded to the consultation papers. 137 of these individuals and organisations used the Easy Read consultation paper.

This paper will tell you what was said in all 447 responses about the main ideas highlighted in the Easy Read consultation paper.

Who responded to the consultation papers?

447 individuals and organisations told the Scottish Government what they thought about the ideas and information in the consultation papers.

Most of the responses came from individuals and from small local organisations like community councils.

The table below tells you who responded to the consultation papers:

Who responded?	Main Consultation Paper	Easy Read Consultation Paper	Total
Individuals	45	66	111
Community councils	59	28	87
Other community organisations	40	22	62
Third sector and equality organisations (like charities)	50	11	61
Other	24	9	33
Local government	26	0	26
Professionals	20	1	21
Other government or statutory organisations (like the NHS)	20	0	20
Community planning partnerships	10	0	10
Private organisations (like businesses and property owners)	9	0	9
Registered social landlords	7	0	7
Total	310	137	447

What did people say?

Not everyone that responded said the same thing. This paper helps explain who responded and what most people said. It also tells you if some people strongly disagreed or had different ideas.

The Annex at the end of this paper tells you more information about who responded to each of the 15 questions in the Easy Read consultation paper.

Part 1 Making it easier for communities to take part and have their say

This part of the Easy Read consultation paper was about listening to what communities want and how people can help decide about local services.

Local services are things like schools, hospitals, support services, community buses, local community centres and more.

What is a 'community'?

Question 1 and Question 2 of the Easy Read consultation paper asked people what 'community' meant to them and asked them to tell the Scottish Government something about their community.

Most people told the Scottish Government that 'community' meant their local area and the area where they lived.

Some people also said that groups of people with the same interests or identities (like disabled people or Gypsies and Travellers) were also 'communities' and that focusing on local areas sometimes disadvantaged these groups.

Some people also thought that people having shared goals and shared responsibilities and working together was important for a community. Other people thought the Scottish Government needed to find out more about how communities identify themselves.

Community Councils

Question 3 of the Easy Read consultation paper asked how community councils could do more to help communities have their say about the way local services are run or managed.

Most people who answered this question were either individuals, from community councils, from other community organisations or from third sector and equalities organisations.

Many people said that community councils help communities, local councils and other public authorities (like the NHS) communicate with each other. Some people said that community councils don't always have enough money or support to do this properly. Some people also pointed out that some areas in Scotland don't have a community council.

Other people thought community councils don't always think about the views of everyone in the community. Sometimes the people on the community council don't always represent everyone in the community.

Many people felt that when local councils and other public authorities needed to talk to communities that they should talk to community councils first.

The consultation papers also asked if community councils should run and manage local services themselves. Some people thought this was a good idea but more people didn't think it was a good idea.

Most people thought community councils could do more. Some people said community councils could help make decisions about how local services are run and managed, even if they didn't run the services themselves.

Some people also thought the rules for community councils should be updated. People also asked the Scottish Government to think about the important role of other community organisations (like development trusts and housing associations).

Delivering services in the community

Question 4 of the Easy Read consultation paper asked if it could be easier for community organisations to help run or manage local services. Question 5 asked if communities should be able to challenge a local service if it is not run well or does not meet the community's needs.

Many people supported community organisations having more opportunity to run or manage local services. Most of the people that said this were individuals or from community councils, third sector and equalities organisations, other community organisations and local councils.

Many people felt that the process for deciding who would run and manage a local service, often called procurement, could make it difficult for community organisations to get involved. Some people said the Scottish Government should think about this when deciding what to put in another new law being made called the Procurement Reform Bill.

Some people thought that instead of running or managing local services, communities should be able to work with the people running them to make sure the services meet the communities' needs.

Some people also supported communities having a right to challenge local services if they were not meeting their needs. However, some local councils said communities could already do this by contacting the Scottish Public Services Ombudsman or by contacting their local councillors.

Deciding how the money is used

Question 6 in the Easy Read consultation paper asked if local communities should be involved in deciding how money for local services is spent.

Most people that responded agreed communities should have more say in deciding how local budgets are spent. Most people thought this would help make sure money and other resources were spent on the things that mattered most to the local community. They also thought this would mean communities felt more in control of what happens in their area. Local councils also said this might be a good idea but they thought it might be difficult to do. Some people were worried that only the 'loudest voices' in the community would be heard. They said it would be important to think about the needs of everyone in the community.

The consultation papers also asked who in the community should be able to help decide how local budgets are spent. Most people said that it should be community councils but people also mentioned local area committees, community development trusts and local housing associations.

Part 2 Helping communities to own land and buildings in their area

This part of the Easy Read consultation paper was about communities owning some of the land and buildings in their community, and being able to use these to develop local activities, services and businesses.

Right to buy land

A law called the Land Reform (Scotland) Act 2003 says that communities in rural areas have a right to buy land and buildings that are for sale in their area. Question 8 of the Easy Read consultation paper asked if communities in towns and cities should have the same right.

Most people that responded thought communities in towns and cities should have the same right to buy land and buildings for sale in their area. They also thought it should work in the same way as the right works in rural areas.

Many people thought this right would help them to do something about empty land or buildings in their area. They also thought it could help them provide a new local facility for their area, or save an old facility, like a community centre or a park.

Some people thought that owning land and buildings in their area would build the skills and knowledge of people in their community. They also thought it would make people feel better about themselves and where they live.

However, some people from private organisations (like businesses and property owners) thought this might make it difficult for businesses to invest in local areas. They were also concerned that this might cause problems for the people that own the property the community wants to buy.

Local councils were also concerned that not everyone would want to use the land and buildings in the same way. The local council said that the community might have one idea using the land or building, but the local council might have another idea that would make things better for all the communities in the local council area.

Passing public land and buildings to communities

Question 7 of the Easy Read consultation paper asked if it would help if communities owned land or buildings.

Question 9 of the Easy Read consultation paper asked if the local community should have a right to ask for land and buildings that are owned by the local council or another public authority (like the NHS) but that are not being used.

Most people that responded supported communities taking over unused land or buildings owned by the local council or other public authority. Most people felt it was important that the community could show it had good plans for the land or building and that these plans would benefit the whole community.

Some people were confused about how a community right to ask for land or buildings would work. They felt it was important to think about how the local council or other public authority should respond when a community asked this. They also wanted to know what would happen if more than one group of people in a community wanted to have the same piece of land or building.

Some people even thought that when a local council or public authority's land or buildings were for sale, the local community should be told first. They also thought the community should be able to buy the land or building before anyone else.

Other people were concerned there might be hidden costs when land or buildings are passed to a community. They were concerned a building might be very expensive to manage or need lots of repairs. Some people were also concerned the community might not have the right information or the right skills to manage the land or a building. Some people said it might be better if communities could lease the land or building instead of owning it.

Having a plot to grow food

Question 10 of the Easy Read consultation asked if communities should have more land for allotments and community gardens so people can grow their own food and flowers. An allotment is a small piece of land from a local council where people can grow fruit and vegetables.

Most of the people that responded thought it was a good idea for communities to have more land for allotments and community gardens.

Many people said this would make communities healthier, help bring the community together and that it would be good for the environment. Most of the people that said this were individuals or were from community councils or from third sector organisations (like charities).

Most people that responded said the law on how local councils should provide land for allotments is too old and should be changed to make it easier to understand. However, other people disagreed and said the law was okay and did not need to be changed.

Sometimes land is not being used but the owner has plans to use the land in the future. Many people said that it would be a good idea if the local community could agree with the owner to use the land for a short time until the owner was ready to use the land. One of things the community could use the land for could be allotments or to make a community garden.

Part 3 Making the best use of buildings and land

This part of the Easy Read consultation paper was about buildings, land and resources that are not used or not used enough.

The Scottish Government asked people how these could be used better as houses or shops or to help deliver services for the community.

Use of public buildings or resources

Question 11 of the Easy Read consultation paper asked if local communities should be able to use public buildings or resources (like buses) for part of the week or for a short time.

Most people said that communities should be able to use public buildings or resources that are not being used enough. Local councils, other public authorities and private organisations (like businesses) also agreed. Most of the people that agreed were individuals or from community councils or other community organisations.

People said being able to use public buildings or resources would be good for the community as local people have a better idea of what their community needs. It might also stop unused buildings becoming run-down and help make sure buildings and resources were used more efficiently.

Some people were concerned the community might not have the right information or skills to use the public buildings or resources properly. They were also concerned that not everyone in the community would want to use the building or resources for the same reasons.

Some people said the community should be able to use the public building or resource but they should not be able to do this unless the local council or other public authority agreed.

Empty buildings and land

Question 12 of the Easy Read consultation paper asked people to tell the Scottish Government if empty houses, shops or areas of land were a problem in their local community.

The Scottish Government also asked what people would like to happen to any empty houses, shops or areas of land that were causing a problem.

Most of the people who used the Easy Read consultation paper felt that empty houses and shops in their community were a problem. But one third of people didn't think this was a problem in their own local area.

Most people from community councils said empty houses, shops and areas of land were a bigger problem in towns and cities than in rural areas. People were also more concerned about problems caused by empty shops, than by empty homes or areas of land.

Many individuals and people from community organisations that responded to both consultation papers had strong feelings about the problems caused for communities by having empty houses, shops and areas of land in their local area.

Many people thought it would be good for communities to be able to ask local councils to use powers to help bring empty houses, shops or areas of land back into use.

Use of private land and buildings for a short time

Question 13 in the Easy Read consultation asked if it would help communities if they could use land or buildings that owners are not using just now. The Scottish Government also asked what could make it easier for owners and communities to agree about this.

More than half of the people that responded to the consultation papers thought it would be good for the community if they could use land or buildings that are not currently being used for a short time. Some people also suggested ways to make it easier for owners and communities to agree to this.

However, some people were also concerned that communities using land or buildings for a short time might affect the neighbours or an owner's future plans for the land or building.

Arranging for land or buildings to be sold

Question 14 of the Easy Read consultation asked if communities should have the right to ask the local council to arrange the sale of an empty building or land.

Many said communities should be able to ask local councils to use powers to sell or lease an empty house, shop or area of land so that it could be used again.

Some people talked about the problems caused by empty houses but most people talked about the problems caused by empty shops. People talked about empty shops being "eyesores", a "wasted opportunity" and "the cause of anti-social behaviour problems".

Many people thought the local council should only be able to use these powers when the house, shop or area of land had been empty for a long time. They also thought the local council should only use these powers after they had worked with the owner to try and get the land or building used again.

People from local councils and private organisations (like businesses and property owners) did think this was a good idea but did not support it as much as other people. They said there had to be a good reason for using these powers and that some people might not agree with the reason and challenge the local council.

Some people also said it was important to think about the rights of people who owned empty houses, shops and areas of land. Local councils were also concerned that it might cost too much and that not all of the community would agree with the plans to start using the house, shop or area of land again.

What will happen next

Responses to the consultation papers

The Scottish Government has published all the responses to the consultation papers where people gave us permission to do so:

<http://www.scotland.gov.uk/Publications/2013/01/5167>

As well as this paper, the Scottish Government have published a more detailed paper that tells you what was said about all of the ideas in the full consultation paper:

<http://www.scotland.gov.uk/Publications/2013/01/9545>

The Scottish Government will now think about what people have told us.

Reference Group

The Scottish Government have also been working with experts from the government, local councils, the community, charities and businesses who know a lot about the ideas in the consultation papers.

The Scottish Government and the Convention of Scottish Local Authorities (who represent local councils in Scotland) have asked these experts to join a Group and share their views and ideas.

This group of experts is called a Reference Group and there is more information about who is on the Reference Group on the Scottish Government website:

<http://www.scotland.gov.uk/Topics/People/engage/cer/CERBRefGroup>

Consulting on a draft Bill

Once the Scottish Government have thought about everything people have said, the Scottish Government will decide what ideas should be part of the new law.

The Scottish Government will make a draft law that will show everyone what the new law might look like – this is called a draft Bill.

The Scottish Government would like to ask you what you think about the draft Bill once it is ready. There will be a consultation on the draft Bill in summer 2013.

Making a new law

The Scottish Government will think about what you say about the draft Bill in summer 2013 and then think if any other changes need to be made.

In order to make the draft Bill into a law, the draft Bill needs to be sent to the Scottish Parliament. This will happen in winter 2013-2014.

MSPs (Members of the Scottish Parliament) will discuss the draft Bill and agree if there will be a new law and what will be in it.

What to do next

You do not need to do anything at the moment. This paper is just to tell you what people said about the ideas in the Easy Read consultation paper on the Community Empowerment and Renewal Bill.

If you have any questions for the Scottish Government then you can write to them at:

Community Empowerment Unit
Scottish Government
Area 3H South
Victoria Quay
Edinburgh
EH6 6QQ

Or you can email the Scottish Government at:

community.empowerment@scotland.gsi.gov.uk

Or you can call the Scottish Government on:

0131 244 0382

Find out more

If you would like more information you can look at the Scottish Government website:

www.scotland.gov.uk/communityempowerment

If you like using twitter you can get updates on the Bill by following:

[@CommEmpower](https://twitter.com/CommEmpower)

Easy Read Consultation Paper

These tables show you more information about who responded to each of the 15 questions in the Easy Read consultation paper.

For questions 1, 2, 3, 4 and 15:

- **the first column** shows you the type of people that responded to the Easy Read consultation paper;
- **the second column** tells you how many of these people responded to that question; and
- **the third column** tells you how many people didn't respond to that question.

1. What does the word 'community' mean to you?

The types of people who responded to the Easy Read consultation paper	How many responded to this question	How many did not respond to this question
Individual	63	3
Community councils	28	0
Other community organisations	21	1
Third sector and equality organisations	10	1
Other	7	2
Professionals	1	0
Total	130 (95%)	7 (5%)

2. Can you tell us something about your community?

The types of people who responded to the Easy Read consultation paper	How many responded to this question	How many did not respond to this question
Individual	62	4
Community councils	28	0
Other community organisations	21	1
Third sector and equality organisations	10	1
Other	7	2
Professionals	0	1
Total	128 (93%)	9 (7%)

3. How can community councils do more to help local people have their say about how local services are run or managed?

The types of people who responded to the Easy Read consultation paper	How many responded to this question	How many did not respond to this question
Individual	61	5
Community councils	28	0
Other community organisations	21	1
Third sector and equality organisations	10	1
Other	7	2
Professionals	1	0
Total	128 (93%)	9 (7%)

4. Do you have any ideas about how to make it easier for community organisations to help run or manage local services?

The types of people who responded to the Easy Read consultation paper	How many responded to this question	How many did not respond to this question
Individual	56	10
Community councils	25	3
Other community organisations	18	4
Third sector and equality organisations	10	1
Other	8	1
Professionals	1	0
Total	118 (86%)	19 (14%)

For questions 5 to 14:

- **the first column** shows you the type of people that responded to the Easy Read consultation paper;
- **the second column** tells you how many of these people responded yes to that question;
- **the third column** tells you how many said no to that question;
- **the fourth column** tells you how many people did respond but didn't say yes or no; and
- **the last column** tells you how many people didn't respond to that question.

5. Do you think communities in Scotland should be able to challenge a local service if they feel the service is not run well or does not meet their needs?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	60	1	3	2
Community councils	26	0	2	0
Other community organisations	20	0	0	2
Third sector and equality organisations	10	0	0	1
Other	8	0	0	1
Professionals	1	0	0	0
Total	125 (91%)	1 (1%)	5 (4%)	6 (4%)

6. Should local communities be involved in deciding how money for local services is spent?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	50	7	4	5
Community councils	24	1	2	1
Other community organisations	16	2	0	4
Third sector and equality organisations	11	0	0	0
Other	5	1	1	2
Professionals	0	1	0	0
Total	106 (77%)	12 (9%)	7 (5%)	12 (9%)

7. Would it help your community if it owned land or buildings?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	43	10	6	7
Community councils	12	8	6	2
Other community organisations	12	4	3	3
Third sector and equality organisations	7	0	3	1
Other	6	0	1	2
Professionals	0	0	0	1
Total	80 (58%)	22 (16%)	19 (14%)	16 (12%)

8. Should communities in towns and cities have a right to buy land and buildings that are for sale in their area?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	53	2	2	9
Community councils	17	4	5	2
Other community organisations	15	2	1	4
Third sector and equality organisations	9	0	1	1
Other	6	1	0	2
Professionals	0	1	0	0
Total	100 (73%)	10 (7%)	9 (7%)	18 (13%)

9. If the local council or other public authority own land or buildings they are not using, should the local community have a right to ask for the land and buildings?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	52	3	4	7
Community councils	24	1	2	1
Other community organisations	17	2	2	1
Third sector and equality organisations	10	0	0	1
Other	8	0	1	0
Professionals	0	1	0	0
Total	111 (81%)	7 (5%)	9 (7%)	10 (7%)

10. Do you think communities should have more land for allotments and community gardens so people can grow their own food or flowers?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	54	4	2	6
Community councils	25	0	1	2
Other community organisations	19	0	1	2
Third sector and equality organisations	11	0	0	0
Other	6	0	2	1
Professionals	1	0	0	0
Total	116 (85%)	4 (3%)	6 (4%)	11 (8%)

11. Should your local community be able to use public buildings or resources like buses for part of the week or for a short time?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	49	3	4	10
Community councils	23	1	1	3
Other community organisations	20	1	0	1
Third sector and equality organisations	11	0	0	0
Other	7	0	1	1
Professionals	0	0	0	1
Total	110 (80%)	5 (4%)	6 (4%)	16 (12%)

12. Are empty houses and shops a problem in your local community?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	38	19	5	4
Community councils	12	12	3	1
Other community organisations	14	5	1	2
Third sector and equality organisations	5	0	4	2
Other	5	1	1	2
Professionals	0	0	0	1
Total	74 (54%)	37 (27%)	14 (10%)	12 (9%)

13. Would it help your community if it could use land or buildings that owners are not using just now?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	48	11	3	4
Community councils	13	6	4	5
Other community organisations	17	4	1	0
Third sector and equality organisations	7	0	1	3
Other	5	2	0	2
Professionals	0	0	0	1
Total	90 (66%)	23 (17%)	9 (7%)	15 (11%)

14. Should your community have the right to ask the local council to arrange the sale of an empty building or land?

The types of people who responded to the Easy Read consultation paper	How many said YES to this question	How many said NO to this question	Other – responded but didn't say 'yes' or 'no'	How many didn't respond to this question
Individual	49	5	5	7
Community councils	18	1	5	4
Other community organisations	17	1	1	3
Third sector and equality organisations	7	0	0	4
Other	4	0	1	4
Professionals	0	0	0	1
Total	95 (69%)	7 (5%)	12 (9%)	23 (17%)

15. Do you have any other ideas or comments for the Scottish Government?

The types of people who responded to the Easy Read consultation paper	How many responded to this question	How many did not respond to this question
Individual	55	11
Community councils	18	10
Other community organisations	16	6
Third sector and equality organisations	9	2
Other	7	2
Professionals	0	1
Total	105 (77%)	32 (23%)



**The Scottish
Government**
Riaghaltas na h-Alba

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