

### Draft response to Review of Local Governance

#### 1. Introduction

- 1.1 Perth and Kinross Council welcomes this Review and the opportunity to shape a future system of governance at all levels in Scotland based on the principle of subsidiarity and recognition that decisions affecting local people and communities are better when they are made with, not for, local people and communities.
- 1.2 Every public service whether administered nationally, regionally or locally is ultimately *delivered locally* – to individuals, families and neighbourhoods. Therefore the starting point for this Review should be what is best decided locally and what must be aggregated to regional or national level – not what can be devolved ‘downwards’.
- 1.3 We do not have a fixed view of how this is achieved beyond saying that primary legislation should be a tool of last resort. It is incumbent on public bodies at all levels to work collaboratively together, and with (not just for) communities. In the Tay Cities Region strong regional collaboration is already underway in key areas.
- 1.4 In common with others, this Council covers a large and diverse geography with a relatively low widely dispersed population. Over a third of our 150,000 inhabitants live in Perth and the remainder in 6 towns and over 120 villages and hamlets. It is, and has always been, clear that decisions affecting the lives of people in Perth and Kinross cannot be made using a ‘one size fits all’ approach.
- 1.5 Our area has tremendous community assets and infrastructure. Community Councils, Local Development Trusts and many other formal and informal community organisations make a difference across every part of Perth and Kinross. Different types of community organisation have evolved in different localities but all have a part to play in local democratic decision-making. 31% of our population contribute to their community by doing volunteer work, above the national average. We have nearly 200 local heritage and arts organisations, 12 Community Sports Hubs, nearly 100 volunteer-run sports groups and numerous Greenspace and Bloom groups including 17 core pathway groups.
- 1.6 As a local authority working in a City Region context we have focused our response on how regional and local decision making and democracy could be reshaped. However we are glad to note the intention of the Review to look at governance at all levels in Scotland. This ‘whole system’ view is essential for subsidiarity to work. We have highlighted a number of points which we believe are wider essential considerations.

## **2. Local considerations**

- 1.1 Whilst the benefits of subsidiarity are clear there are also risks which need to be understood and managed. Local decisions may be hijacked by vocal minorities alienating other voices with legitimate views. And if an overview of priorities at area, regional and national level is not maintained, scarce public resources will not be targeted effectively. These risks can be mitigated by:
- Ensuring that equalities and diversity is explicit in any new legislative proposals beyond existing public body duties to consult and engage with the widest range of communities as well as to actively promote equalities and diversity.
  - Investment in community capacity building as a mainstream role for public bodies so that the asset base of individuals and local organisations involved in local decision-making is continually grown and fostered.
  - Taking a proportionate view, in dialogue with communities, about what can realistically be delivered by local people without volunteer exhaustion.
- 2.2 Recent national reviews of the role of Community Councils in local decision making have highlighted the breadth and diversity of CC as assets in their communities. Lack of awareness of their role may shape unhelpful perceptions of CC as unrepresentative or ineffective yet there are many examples of CC taking a proactive and positive role. The legislative framework for CC, including responsibilities as well as rights, could be usefully reviewed. English Parish Councils may be a useful comparator as they have clearly defined fiscal powers and responsibilities. However CC do not cover all geographies and need to be seen in the light of a wider ecosystem of community groups and networks all of which have a current or potential role in local decision making.
- 2.3 Whilst this Review is not about local government structural reform, the current system varies too much in population and geographical size to support effective local decision making. Alongside, centralised decision making in Scotland remains significant and the interface between national public bodies and local authority areas is working with varied success. National bodies including those which are statutory Community Planning Partners, are not sufficiently responsive to the priorities and needs of local authority/CPP areas. Models in the Baltic States which have smaller, more responsive decision making tiers should be re-examined.
- 2.4 In 2016 we established Local Action Partnerships as our local community planning mechanism, in line with requirements of the Community Empowerment (Scotland) Act 2015. These bring local elected members, community representatives and local public services together to determine priorities and needs in different localities. Whilst LAPs are still evolving, we believe they are an effective model for smaller, more responsive decision-

making tiers. To be successful, they need trust and 'full disclosure' from public bodies about the data and evidence which supports good decision making. They also need a role in scrutinising, monitoring and calling to account public service bodies.

### **Wider considerations**

- 2.5 Fiscal autonomy is key for local decision making to be meaningful and the experience of Participatory Budgeting shows it is the chance to make financial decisions for local benefit which mobilises communities. Further review and reform of local taxation is central. Where financial decisions necessarily sit at Council, regional or national level meaningful community engagement is key if local people are to feel they have a genuine stake. Large scale Participatory Budgeting exercises like those in Durham and elsewhere demonstrate the benefits of community participation in how mainstream public service budgets are allocated.
- 2.6 Public consultations to inform decisions which necessarily sit elsewhere from local communities (for example Local Development Planning) must be meaningful so that communities understand the purpose, timescales and process of consultation and receive timely feedback on why decisions have been made and how their feedback informed decision-taking. All consultation, whether statutory or otherwise, needs to be undertaken with consistent quality and attention to feedback for communities.
- 2.7 Finally investment in shared data and evidence bases and data analysis at area, regional and national level is key. Local authorities have finite and increasingly limited analytical teams and capacity, yet the overall resource base across Scottish public bodies as a whole is significant and could be better aligned to support subsidiarity and allocation of public service resource more effectively.